



**AGENDA**

**Thursday, March 20, 2025: 6:00 PM**

**Planning Board**

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

**1. CALL TO ORDER**

**2. APPROVAL OF MINUTES**

**a. February 20, 2025 Regular Meeting**

**3. PUBLIC HEARINGS**

**a. Z-01-25 Conditional Zoning District Rezoning; 220 Springwood Way**

**b. Z-02-25 Conditional Zoning District Rezoning; 11 Camelia Way**

**4. UNFINISHED BUSINESS**

**5. NEW BUSINESS**

**a. Planning Board Submittals and Miscellaneous Items for Next Month's Meeting**

**6. ADJOURNMENT**

**MINUTES**  
**Planning Board Regular Meeting**  
**E.S. Douglass Community Center, 1185 W. Pennsylvania Avenue**  
**Thursday, February 20, 2025, at 6:00 PM**

Chair Westbrook called the meeting to order at 6:00 PM.

Chair Diane Westbrook, Kim Wade, Matthew Walden, Jennifer Garner, Monica Brickey, formerly Monica Harvey, Andrew Speck and Jason Scribner were present.

Matthew Walden made a motion, which was seconded by Monica Brickey, to approve the Minutes of the December 2024 regular meeting. The motion carried.

PUBLIC HEARING:

**Z-07-24: Request to Rezone Two Parcels from RS-1CD and RS-2 to Residential Multi-Family Conditional Zoning District (RM2-CD)**

Jeremy Sparrow of Longitude Planning Group PLLC, authorized agent of Fifteen Pinecones LLC, has submitted a request to rezone two parcels to RM-2 Conditional Zoning District with 21 conditions to allow the development of 11 residential units – either single-family attached or duplexes - on ±4.13 acres. The parcel identified as PIN 858118409715 (PARID 00052524) is currently zoned RS-1CD; and the parcel identified as PIN 858119501314 (PARID 00052523) is currently zoned RS-2. Pursuant to the Moore County tax records, both parcels are owned by Fifteen Pinecones LLC.

Matthew Walden made a motion, which was seconded by Monica Brickey, to open the public hearing. The motion carried.

Senior Planner Alaina Mallette provided an overview of the staff report accompanied by a Power Point presentation and stated that a maximum of 11 buildings were proposed with the uses being single-family detached and duplex units with 21 proposed conditions. Ms. Mallette stated that Planning staff was in support of the request with the conditions.

Member Brickey expressed concern regarding traffic safety at the entrance/exit.

Trey Kramer of Longitude Planning Group, present on behalf of the applicant, provided a Power Point of the proposal.

Marco Rotting, 1605 E. Indiana Avenue, stated that traffic is a major issue and asked the Board to give traffic impact serious consideration and stated that the proposed homes do not look anything like the existing homes.

Ryan Paschal responded that if the residents want them to build something similar to the existing home, that is what they will build.

Mark Moen, 230 Broadmeade Drive, stated that houses outside of Huntcliff are larger and on larger lots so the proposal is not consistent with the surrounding neighborhoods.

Shannon Smith, 1624 E. Indiana Ave. #14, President of the Huntcliff HOA, stated that they have not been approached about the elevations of the proposed homes or the existing road. She stated that the homeowners do not want a dumpster in the neighborhood or several trash receptacles lining the street, and expressed concerns regarding increased traffic.

Jody McCain, 1624 E. Indiana Avenue #16, stated the internal road to her home is a single lane road, that stormwater collects on her property and creates ruts currently, and she is concerned about the additional trash containers.

Andrea Pedicelli, 102 Canterbury Road, stated that the proposed homes will not be in character with the area and read letters from the owners of 104 and 106 Canterbury Road which were entered into the record.

Mr. Paschal stated that NCDOT had indicated that a traffic study was not required at this time. He agreed that traffic is an issue but a single driveway is safer than six individual driveways.

Mr. Moen stated that traffic has increased in the past few years.

Jeremy Sparrow said a survey has been prepared and development will be outside of the access easement.

Member Speck asked if the HOA would have to agree to access.

Mr. Paschal responded that his attorney had confirmed that he has as much right to access to that road as the other property owners and that they will comply with any restrictions that are in their deed.

Monica Brickey made a motion, which was seconded by Matthew Walden, to close the public hearing.

Planning Director BJ Grieve stated that under NC General Statute, local jurisdictions cannot adopt regulations that control the exterior architecture of 1, 2, 3 or 4 family dwellings under normal circumstances and minimum home size cannot be regulated. With a Conditional Zoning district, an applicant can offer anything that mitigates concerns that would otherwise be problematic for their application. If Conditional Zoning is approved with a site plan or any conditions, that becomes the zoning of the property and is enforced by the Town but the Town does not get involved in the enforcement of Covenants and Restrictions.

Monica Brickey made a motion, which was seconded by Kim Wade, that after reviewing the proposed amendments to the Town of Southern Pines Zoning Map, and after considering the

criteria for approval of map amendments found in UDO §2.17.9, the proposed amendments are consistent with the 2040 Comprehensive Plan for the reasons set for in Attachment 1 of staff report Z-07-24 as revised by the Planning Board.

And therefore, to recommend approval of Z-07-24 to the Town Council with the conditions on the RM-2 Conditional Zoning District as submitted by the applicant and with additional information submitted at the public hearing:

Conditions:

1. The homes shall be a maximum 1.5 stories at the front with walkout basements being allowed.
2. Heated square footage shall be between 1,500 and 2,200 square feet per dwelling unit.

And further that the following other matters were considered by the Planning Board and shall be added to Attachment 1 by Planning staff as part of the Planning Board's written recommendation to the Town Council:

1. Traffic within and outside of the neighborhood;
2. soil erosion and drainage;
3. the trash pickup area
4. access using an easement through the existing entrance;
5. phasing;
6. stormwater drainage attracting mosquitos; and
7. design consistency with current Huntcliff and Sandhurst communities and the Hamlets character district.

The motion carried by a 7-0 vote.

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UNFINISHED BUSINESS:

No old business was discussed.

NEW BUSINESS:

Kim Wade made a motion, which was seconded by Monica Brickey, to elect Matthew Walden as Chair. The motion carried.

Matthew Walden made a motion, which was seconded by Monica Brickey, to elect Kim Wade as Vice Chair. The motion carried.

Monica Brickey made a motion, which was seconded by Matthew Walden, to adjourn the meeting. The motion carried.

The meeting adjourned at 8:37 PM.

Respectfully submitted:

Cindy Williams  
Secretary to the Planning Board

DRAFT

## Agenda Item

**To:** Planning Board

**Via:** BJ Grieve, Planning Director

**From:** Mason Mattox, Planner I

**Subject:** Z-01-25: Request to Rezone One Parcel located on the corner of N. May Street and Springwood Way from Residential Single Family (RS-1) to Neighborhood Business Conditional Zoning District (NB-CD).

**Date:** March 20, 2025

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### I. SUMMARY OF APPLICATION REQUEST

Blake Webb of Taproot Companies, LLC, and Ameeta Swaby of Meet on May, LLC, on behalf of The Cottages on May Homeowners Association Inc., has submitted a request to rezone one parcel from RS-1 to Neighborhood Business Conditional Zoning District (NB-CD) to allow the use of the subject property for office administrative services with proposed conditions on the parcel. The parcel is identified as PIN 858220706632 (PARID 00032175). Pursuant to the Moore County tax record, the parcel is owned by The Cottages on May Homeowners Association Inc.

### II. PROJECT INFORMATION

**A. Physical Address**

220 Springwood Way,  
Southern Pines, NC, 28387

**C. Applicant**

Ameeta Swaby 180 Roundtree  
Lane, Southern Pines, NC 28387

**B. Legal Property Owner**

The Cottages on May  
Homeowners Association Inc.

**D. Authorized Agent**

Blake Webb  
575 SE Broad Street, Suite 9  
Southern Pines, NC, 28387

**A. Existing Zoning**

The subject property is currently zoned Residential Single-Family 1 (RS-1). The subject property is also within the High Quality/Protected Water portion of the Watershed. No development proposal to increase the built upon area is being proposed with this application. The parcel was annexed to the Town in 2014 (AX-02-14). The structure that currently serves as the clubhouse was constructed circa 2018. See also Z-05-82, CU-05-14, CU-06-17, CU-06-18, ZP-03-18, WP-03-14, S-06-15, S-32-16, S-27-18, S-45-19, and S-17-15. Planning staff have not found any consistencies with the current rezoning proposal when weighed against existing entitlements, which predominantly relate to the residential construction of The Cottages on May. The exact number of households within The Cottages on May Homeowners Association is not known to Planning staff.

## **B. 2040 Comprehensive Plan Designation for General Framework, Conservation and Development, and Character Districts**

### *General Framework – Area to Enhance*

Areas to enhance do include existing developed areas, and should ‘consider small-to-medium improvements to keep up with changing economics... or consumer preferences.’ Areas to Enhance consider non-residential uses that serve adjacent residential land uses appropriate.

### *Conservation and Development – Neighborhood*

Neighborhoods may include ‘limited neighborhood supporting non-residential uses and should promote walking and biking trips in the community.’ The Conservation and Development matrix on page 63 of the 2040 Comprehensive Plan does not encourage employment centers within Neighborhood Business Zoning – but does encourage mixed-use activity areas within Neighborhood Business Zoning.

### *Character District – Suburban Settlement*

Suburban settlements should ‘limit type, number, and location of new suburban settlement.’ In this application, no new development is being proposed in terms of additional gross square footage. Per the Non-Residential Building Type Matrix on page 77 of the 2040 Comprehensive Plan, Neighborhood Commercial structures are encouraged within the Suburban Settlement designation.

## **C. Proposed Conditions**

See Attachment #3 of the Planning Board’s March 20, 2025 staff report.

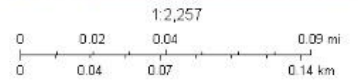
**Figure 1: Vicinity Zoning Map**

220 Springwood Way, Southern Pines



2/20/2025, 12:43:11 PM

- Parcels (Yellow Lines)
- RE, Rural Estates
- Zoning Text
- RM-1, Residential Single & Multi-Family
- All Zoning Over Aerial
- RM-2, Residential Single & Multi-Family
- GB, General Business
- RS-1, Residential Single Family



Sources: Esri, Airbus DS, USGS, NOAA, NASA, COIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasystem, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, Moore County GIS (NC), State of North Carolina DOT, ©

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**III. STAFF REVIEW**

**1. Application Review Dates**

- Application Submitted: **February 10, 2025**
- Application Complete: **February 10, 2025**
- Technical Review Committee Review: **February 25, 2025**
- Planning Board Public Hearing Notice
  - Publication: **March 05, 2025** and **March 12, 2025**
  - Mail: **March 06, 2025**
  - Signage: **March 05, 2025**
  - Internet: **March 04, 2025**
- Planning Board Agenda Meeting: **March 13, 2025**
- Planning Board Regular Meeting: **March 20, 2025**

**2. Staff Consistency Evaluation Based on Criteria for the Rezoning of Subject Parcel for Zoning Map Amendment Review per UDO § 2.17.9**

When reviewing an application for zoning, the hearing bodies (Planning Board and Town Council) shall consider and be guided by the following criteria, as set forth in UDO §2.17.9 and outlined below. Furthermore, additional standards are expected of a conditional zoning district—a reclassification of property subject to specific conditions that ensure compatibility of the use with the use and enjoyment of neighboring properties—such as the one being proposed by the applicant. Conditional zoning is voluntary.

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

See “2040 Comprehensive Plan Designation for General Framework, Conservation and Development, and Character Districts” for more information. The applicant’s narrative addresses compliance with the Comprehensive Plan, referencing the objective of creating more mixed-use development in a way that is sensitive to adjacent properties by limiting business hours and the land uses, as is encouraged by the Conservation and Development Matrix. The applicant’s narrative also addresses the need for small-scale neighborhood-supporting businesses, and the benefits associated with the approval of the rezoning application. Planning staff agree with the applicant’s narrative, and have not identified any inconsistencies with the 2040 Comprehensive Plan.

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

The rezoning application includes the proposal to increase mixed-use development land uses in the general area, and aligns with the criteria of mitigating reasonably foreseeable negative impacts that result from single-use zoning. The parcel proposed for rezoning is located between RS-1, RM-1, and General Business Zoning districts, making it a logical transitional parcel that carefully balances residential uses to the north-east and south-west, and commercial uses to the north-west. The applicant’s proposed list of conditions includes limitations on the land uses and business hours as methods of considering the predominantly residential use of neighboring land. Therefore, Planning staff find that reasonably foreseeable adverse impacts have been mitigated by the applicant’s proposed list of conditions.

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

As presently zoned, the use of office administrative services is not permitted by-right within the RS-1 designation. This limitation prompted the rezoning application to explore a proposed land use that the Applicant believes aligns with the 2040 Comprehensive Plan. See (A) Consistency for more information relating the proposed usage to the 2040 Comprehensive Plan’s goals, objectives, and policies.

**Exhibit 3-15: Table of Authorized Land Uses**

Land Use	LBCS Code	Description	RE	RR	RS-1	RS-2	RS-3	RM-1	RM-2	CB/DTO	GB	NB	OS	I	FRR
intellectual property rental	2336	Establishments that assign patents, trademarks, brand names, and franchise agreements								Z	Z	Z	Z		
<b>Business, Professional, Scientific, and Technical</b>	<b>2400</b>	Perform professional, scientific, and technical services													
Professional services	2410	Services provided depend on worker skills and knowledge rather than equipment													
legal services	2411	Title abstract, lawyers, notaries								Z	Z	Z	Z		
accounting, tax, bookkeeping, payroll services	2412									Z	Z	Z	Z		
architectural, engineering, surveying and related services	2413	Architectural, engineering, Building inspection, surveying and mapping, and laboratory testing (except medical, veterinary, or auto emission)								Z	Z	Z	Z		
graphic, industrial, interior design services	2414	Interior, industrial, and graphic design								Z	Z	Z	Z		
consulting services (management, environmental technical)	2415	Advise and assist businesses on management, scientific, and technological issues								Z	Z	Z	Z		
scientific research and Development services	2416	Conduct research or analyze in the physical, engineering, cognitive, or life sciences									ZS			Z	
advertising, media, and photography services	2417	Advertising, public relations, media buying agencies, direct mail advertisers, market research, translation providers								Z	Z	Z	Z		
veterinary services	2418	Veterinary medicine, testing services for veterinary practitioners									ZS	ZS		ZS	
Administrative services	2420	Typical office establishments in any business area. Use as a default category for most office Buildings (nursing staffing)													
office administrative services	2421	Office administration such as billing, record keeping, personnel, organizational planning								Z	Z	Z	Z		

Land Use	LBCS Code	Description	RE	RR	RS-1	RS-2	RS-3	RM-1	RM-2	CB/DTO	GB	NB	OS	I	FRR
Business association or professional membership	6820	Promote the business interests of their members organization or of their profession								Z	Z	Z	Z		
Civic, social, or fraternal organization	6830									Z	Z	Z	Z		

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

The applicant has stated that parking will remain on-street as a condition of the rezoning application. The existing structure was originally intended to serve as a clubhouse for community residents, especially for Homeowners Association meetings. Since residents more than likely walk to the clubhouse, parking demand has historically been minimal.

Approximately half of the building will continue to serve as a meeting space exclusively for residents of the community. The other half, the proposed office use subject to this rezoning application, would increase on-street parking by six spaces, assuming that the four reserved spaces in front of the building are utilized first. This increase is based on an occupancy limit of 10 people, per Fire Codes, not Planning and Zoning. Planning staff at this time, based on the application materials and routine analysis of the subject parcels and surrounding areas, do not feel that adding off-street parking is necessary. However, planning staff do believe this topic is important to address at the public hearings to determine historical parking patterns for the existing land use.

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

See comments under **Consistency**. The proposed use would be a non-residential, neighborhood-supporting business in a predominantly residential zone. This proposal is consistent with the economic and mixed-use objectives of the 2040 Comprehensive Plan for the area.

*(F) Size of Tract. The Hearing Body shall consider the size, shape, and characteristics of the Tract in relation to the affected neighboring lands. Amendatory ordinances shall not rezone a single Lot when there have been no intervening changes or other saving characteristics. Proof that a small Tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify ordinance rezoning.*

The 0.88-acre tract (parcel) is located on the southern corner of North May Street and Springwood Way. The rezoning application does not include a proposal to expand the existing structure.

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

Planning staff have not identified any applicable other factors at this time.

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

The rezoning request is for a conditional zoning district; therefore, the Planning Board may review and consider the applicant's representations.

### **3. Outside Agency Comments**

A request for comments was emailed to agencies on March 04, 2025. Agencies notified include Town of Southern Pines Streets, Public Works, Utilities, Fire, Recreation and Parks, and Engineering departments, the Regional Land Use Advisory Commission (RLUAC), United States Fish and Wildlife Services (US FWS), the Moore County Airport, and the North Carolina Department of Transportation (NCDOT). No comments have been received as of March 13, 2025.

### **4. Staff Comments and Recommendation**

Approval of a conditional zoning district approves a specific use with reasonable conditions that mitigate the negative impacts of the proposed development and ensure compatibility with the surrounding area. Only conditions approved by the Town Council and consented to by the petitioner in writing may be incorporated into the conditional zoning district. If the applicant ever wishes to change an approved condition, they must follow the same rezoning procedure required to amend the official zoning map unless considered a minor change per UDO §2.17.11(K).

Planning staff recommend that the hearing bodies approve the conditions on the Neighborhood Business Conditional Zoning District as initially submitted by the Applicant as listed in Attachment #3 of the Planning Board's March 20, 2025, staff report.

#### IV. ATTACHMENTS

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

1. Draft Planning Board Resolution to Adopt a Written Recommendation
2. Zoning Map Amendment Application
3. Applicant-Proposed List of Conditions

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

#### V. PLANNING BOARD ACTION

*The Planning Board shall consider the criteria for zoning map amendments found in UDO §2.17.9, including consistency with the 2040 Comprehensive Plan. Per North Carolina General Statute 160D-604(d), prior to consideration of the proposed map amendment by the Town Council, the Planning Board shall advise and comment on whether the proposed amendments are consistent with the Comprehensive Plan. The Planning Board shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendments by the Town Council.*

To assist the Planning Board in performing this task, town staff have prepared the following draft motions for the Planning Board's consideration, possible modification as necessary, and adoption.

\* \* \*

**I move that after reviewing the proposed map amendments to the Town of Southern Pines Zoning Map and after considering the criteria for approval of map amendments found in UDO §2.17.9:**

1. **The proposed amendments are consistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment 1 of staff report Z-01-25;**
2. The proposed amendments are consistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment 1 of staff report Z-01-25 as revised by the Planning Board;
3. The proposed amendments are inconsistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment 1 of staff report Z-01-25 as revised by the Planning Board;

I further move that the following other matters were considered by the Planning Board and shall be added to Attachment 1 by Planning staff as part of the Planning Board's written recommendation to the Town Council:

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

- 1. Recommend approval of Z-01-25 to the Town Council with the following conditions on the Neighborhood Business Conditional Zoning District, as listed in Attachment #3 of the Planning Board's March 20, 2025 staff report.**
2. Recommend denial of Z-01-25 to the Town Council

*Note that the effect of Town Council approval of a conditional zoning district and all conditions that have been attached to the approval are binding on the property as an amendment to the Zoning Map. All subsequent Development and use of the property shall be in accordance with the standards for the approved Conditional Zoning district; the approved petition and all conditions attached to the approval. Only those uses and structures indicated in the approved petition shall be allowed on the subject property. Any Development in the district shall comply with all provisions of and conditions to the approved petition. Any uses and structures on the subject property also shall comply with all standards and requirements for Development in the underlying general zoning district. Lastly, minor changes in the detail of the approved petition or Site Plan that do not involve a change in uses permitted or the density of overall Development permitted and that will not alter the basic relationship of the proposed Development to surrounding properties or the standards. Lastly, minor changes in the detail of the approved petition that do not involve a change in uses permitted or the density of overall Development permitted and that will not alter the basic relationship of the proposed Development to surrounding properties or the standards.*



**PLANNING BOARD  
RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION  
FOR ZONING MAP AMENDMENT APPLICATION  
FOR A CONDITIONAL ZONING DISTRICT  
Z-01-25**

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

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

**WHEREAS**, the Planning Board has reviewed the proposed zoning map amendment—which includes the written staff report and application materials showing the proposed district boundaries, and has conducted a public hearing on March 20, 2025, to listen to public comments, ask questions of the Town’s planning staff, and consider zoning map amendment application #Z-01-25.

**NOW, THEREFORE BE IT RESOLVED** that the Planning Board finds and recommends to the Town Council that the proposed amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest, and consistent with the criteria set forth in the Town of Southern Pines Unified Development Ordinance §2.17.9. The Planning Board recommends that the Town Council approve the zoning map amendment request for the subject parcel, identified as PIN 858220706632 (PARID 00032175), totaling 0.88 acres. The proposed zoning amendment is consistent with the Town of Southern Pines 2040 Comprehensive Plan, advises decision makers to consider future needs when reviewing development applications. The application aligns with the objectives of the “Areas to Enhance” General Framework designation by considering small-to-medium improvements to keep up with changing economics or consumer preferences, in this case, by the addition of a small-scale business in a predominantly residential area. The proposed zoning amendment is also consistent with the “Neighborhood” Conservation and Development designation by encouraging mixed-use development with the proposed offices being a limited neighborhood supporting non-residential use. Further, the “Suburban Settlement” Character district encourages neighborhood commercial structures within this designation, aligning with the proposal to rezone to include the use of office spaces with limitations. These limitations have been outlined in the final, mutually agreed-upon list of conditions which adequately address potential

adverse impacts to neighboring lands. The Planning Board determines that reasonably foreseeable impacts on neighboring properties or the general health, safety, and welfare of the community have been appropriately addressed.

The Planning Board recommends the Town Council adopt this zoning amendment (i.e., #Z-01-25), which rezones the property from RS-1 to Neighborhood Business Conditional [Zoning] District (NB-CB) with the following conditions to which the applicant has consented:

1. The land uses shall be limited to the following:
  - a. LBCS 2421 - Office Administrative Services.
  - b. LBCS 6830 – Civic, social, or fraternal organization.
2. The coworking space will operate within standard business hours of 8 AM until 8 PM to minimize any potential disturbances to the surrounding residential area.
3. Exterior lighting and signage shall remain in harmony with the existing neighborhood aesthetics; and any replacement or new lighting and signage shall comply with the TOSP Unified Development Ordinance as amended. These measures will help maintain the residential character of the area while allowing for a functional and beneficial commercial use of the property.
4. The proposed neighborhood business zoning district shall be a reuse of a constrained site; therefore, all parking shall be permitted to be on Springwood Way, first utilizing four existing reserved spaces.

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**ADOPTED** this the 20<sup>th</sup> day of March, 2025.

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Matthew Walden, Chairman

**ATTEST:**

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Cindy Williams  
Secretary to the Planning Board

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**REQUIRED APPLICATION MATERIALS:**

- ✓ **Application fee** in the amount of \$1,500.00.
- ✓ **Completed Application** for a Conditional Zoning District, signed by the applicant. Please make sure that all information is provided and correct.
- ✓ **Deeds**, to provide proof of ownership and legal property boundaries.
- ✓ **Appointment of Agent**, if applicable, signed by the property owner(s). This gives someone the authority to represent the property owner during the rezoning process.
- \_\_\_\_\_ **List of Adjacent Property Owners:** Please list all properties that are within two hundred (200) feet of the outermost boundaries of the subject property, not counting streets, railroads or other transportation corridors. Attach additional pages if needed. No fewer than ten (10) property owners shall be notified by mail.
- ✓ **Survey -OR- Metes and Bounds Description** of the subject property or properties.
- ✓ **Narrative**, describing how the zoning amendment meets criteria listed in Unified Development Ordinance (UDO) §2.17.9 Criteria for Zoning Map Amendments. See Attachment A.
- ✓ **List of Conditions**, being offered by the applicant to ensure consistency of the proposed zoning amendment with the 2040 Comprehensive Plan. See Attachment B.
- ✓ **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 PROCESS:**

1. **Staff review:** Planning staff will review the application and notify the applicant if additional materials are needed.
2. **Public hearings:** The applicant is expected to attend a public hearing on the application held by the Planning Board, followed by a public hearing held by the Town Council the following month. (Please refer to the [Application Processing Timeline](#) document online to determine application deadlines and 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 all information presented, and approve, conditionally approve or deny the rezoning request.
3. **Approval:** The approval of a Conditional Zoning District does not authorize the use, occupancy, or development of property until the applicant receives necessary additional development approvals, such as subdivision, site plan and building permits. (UDO §2.17.12)



Conditional Zoning District Application

Fee: \$1,500.00 Date Received: Case No.: Z- -

Project Information:

Street Address: 220 Springwood Way Southern Pines NC 28387

PIN: 858220706632 Parcel ID: 0032175

Site Size: .878 Current Zoning:

Applicant:

Name(s): Ameeta Swaby

Email: ameeataswaby@gmail.com Phone: 510.896.9976

Mailing Address: 180 Rountree Lane Southern Pines NC 28387

Authorized Agent, if different from Applicant:

Name(s): SLAKE WEBB

Email: slake@topcoatcompanies.com Phone: 910-690-4956

Mailing Address: 575 SE Broad St. STE 9 Southern Pines, NC 28387

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

Name(s): The Cottages on May Homeowners Association Inc.

Email: Phone:

Mailing Address:

5/1/24

**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 approve a zoning map amendment to Office Space Conditional Zoning District per the requirements of the Town of Southern Pines Unified Development Ordinance (UDO) §2.17. The information included is submitted in support of this application. I grant Town of Southern Pines staff, Planning Board and Town Council access to the subject property/properties while this zoning map amendment application is under review.

Date: 2/17/25

  
Applicant

**PLANNING DEPARTMENT  
TOWN OF SOUTHERN PINES  
801 SE Service Road, Southern Pines, NC 28387  
[plan@southernpines.net](mailto:plan@southernpines.net) (910) 692-4003 [www.southernpines.net](http://www.southernpines.net)**

5/1/24

**APPOINTMENT OF AGENT**

The undersigned owner(s), The Lodges on May, hereby appoint(s) Amanda Sway as the exclusive agent for the purpose of making an application to the Town of Southern Pines for an amendment to the zoning of the property described in the attached application. The owner(s) hereby agree(s) that this agent has the authority to act for and on behalf of the owner(s) as follows:

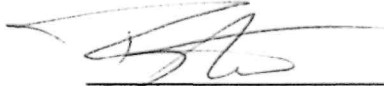
1. to submit an application and required supplemental materials;
2. to appear at public meetings and give representation and comments on behalf of the owner(s);
3. to accept conditions or recommendations made by the Town of Southern Pines Planning Board and Town Council for a rezoning of the subject property to a Conditional Zoning District; 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 an amendment to the zoning of the subject property under the Town of Southern Pines Unified Development Ordinance.

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

Signed this 10 day of February, 2025.

Signed by:  
  
 \_\_\_\_\_  
 A2BD087075AE4AE  
 Property Owner

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

  
 \_\_\_\_\_  
 Agent



## Narrative for Conditional Zoning Application

Applicant: Ameeta Swaby

Location: 220 Springwood Way Southern Pines NC 28387

Current Zoning: Residential (RS-1)

Proposed Zoning: Office Space Use

### Overview:

We are submitting this request for a conditional zoning application to change the zoning classification of the property located at 220 Springwood Way from Residential Single-Family 10,000 (RS-1) to Neighborhood Business Conditional District (NB-CD). Our goal is to establish the first coworking space in Moore County, offering affordable and flexible workspaces to local small businesses, military spouses, veterans, and other members of the community. This office space will serve as a hub for collaboration, creativity, and professional development, contributing to the economic and social vitality of downtown Southern Pines. The proposed change aligns with the vision for the town's growth outlined in the 2040 Comprehensive Plan and provides numerous benefits to the neighborhood and the broader community.

### Criteria for Zoning Change:

#### 1. Consistency with the 2040 Comprehensive Plan:

The proposed zoning change aligns with the goals of the 2040 Comprehensive Plan for Southern Pines, particularly the focus on enhancing the downtown area, promoting economic development, and supporting diverse uses that provide long-term benefits to the community. As the first coworking space in Moore County, our business will meet a growing need for flexible, affordable workspace while also supporting the Town's vision of fostering a vibrant, mixed-use downtown district. This zoning change will encourage a blend of residential and commercial uses, helping to revitalize the downtown area in a sustainable and community-centered way.

#### 2. Neighborhood Enhancement:

The conversion of this property into a coworking office space will significantly enhance the surrounding residential neighborhood. We are committed to maintaining the aesthetic character of the area while providing a modern, professional workspace for entrepreneurs, small businesses, and remote workers. The coworking space will be designed to ensure it blends seamlessly with the neighborhood's existing architecture and scale, incorporating landscaping and thoughtful design elements to preserve the area's charm. By offering flexible office solutions, we can help small businesses thrive and create job opportunities that benefit local residents.

#### 3. Community Support and Economic Benefits:

As Moore County's first coworking space, we are not only offering a professional environment for individuals but also supporting key segments of the community, including military spouses, veterans, and local small businesses. By providing affordable, flexible office space, we aim to empower entrepreneurs and remote workers, enabling them to grow their businesses without the high costs typically associated with traditional office spaces. This initiative is designed to foster a supportive, collaborative environment where community members can share ideas, resources, and expertise, strengthening the local economy and helping to create jobs and business opportunities in the area.

#### 4. Support for Veterans, Military Families, and Local Small Businesses:

A core component of our mission is to offer discounted or priority access to coworking spaces for military spouses, veterans, and local small business owners. The coworking space will serve as an affordable and accessible

workspace for individuals who may face challenges in accessing traditional office environments. By supporting these groups, we are contributing to a more inclusive and resilient local economy. Additionally, we will be creating a community-focused environment that encourages networking and collaboration between local entrepreneurs, small businesses, and service members.

5. Support for Downtown Revitalization:

The proposed zoning change will help further the revitalization of downtown Southern Pines. The office space will attract professionals and small business owners to the area, increasing foot traffic, supporting nearby retailers, and contributing to the overall vibrancy of the downtown district. This will complement other revitalization efforts in the area, creating a dynamic mix of residential, retail, and office spaces that benefit the entire community.

6. Traffic and Parking Considerations:

The shift to office space use will have a minimal impact on local traffic, as the coworking space will be designed to accommodate a manageable number of members at any given time. We have capped membership, and there is designated parking available, as well as permitted street parking in the neighborhood. The property is easily accessible via well-established streets, making it convenient for individuals to walk, bike, or drive to the space. Additionally, by providing a professional environment in the downtown area, we are encouraging people to work locally, which reduces commuting and alleviates potential congestion.

7. Proposed Conditions for Rezoning Approval:


As part of the conditional zoning request, we propose the following conditions:

- 1) Limit the land use to LBCS 2421 (Office Administrative Services).
- 2) The coworking space will operate within standard business hours (e.g., 8 AM – 8 PM) to minimize any potential disturbances to the surrounding residential area.
- 3) Additionally, we will ensure that exterior lighting and signage remain in harmony with the existing neighborhood aesthetics and any replacement or new lighting and signage shall comply with the most current TOSP Unified Development Ordinance. These measures will help maintain the residential character of the area while allowing for a functional and beneficial commercial use of the property.
4. We will limit our membership to less than 26 members. We have 26 seats plus 8 seats in the conference room. This will ensure we always have ample space for members.

Conclusion:

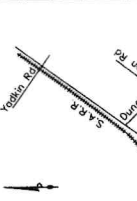
This conditional zoning application represents a unique opportunity to bring the first coworking space to Moore County and further enhance the downtown Southern Pines area. By offering affordable office space to military families, veterans, and local small businesses, we are fostering economic growth, supporting entrepreneurs, and creating a collaborative environment for community members. We believe that this transformation will not only benefit the property but will also serve as a valuable asset to the neighborhood and the town at large.

We respectfully request that the Town Council approve this conditional zoning application to enable us to establish a coworking space that will support the local economy, enhance the downtown area, and contribute positively to the future of Southern Pines.



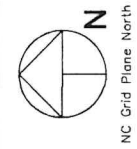
Amanda (Wah)

2015 DEC 14 P 4:25  
 2015 DEC 14 P 4:25  
**MRS. JUDY D. MARTIN**  
 REGISTER OF DEEDS - MOORE COUNTY  
 CARRHAGE, NORTH CAROLINA 28337



**SITE**  
 Vicinity Map - Not To Scale  
 NOTES: This map is prepared for recording in accordance with GS 47-30.  
 Area by coordinate method.  
 The property shown hereon does not lie within a FEMA designated flood hazard area.  
 Subject property is currently zoned RS1.

1/2" rebar set at all lot corners unless specified otherwise.  
 Easements for access, repair and maintenance is favor of the Town of Southern Pines in all Public and Private Streets and/or Alleys where public water and sewer utilities exist or are under construction is hereby established in the subdivision shown and described herein.  
 The Town of Southern Pines is responsible only for maintaining or crossing pipe and water lines, dry ponds situated on each side of the street, and for the removal of debris from the streets. It is the responsibility of the property owner to clean or clear the ponds of debris within thirty days or sooner to alleviate issues with stormwater flow through said crossing pipe.  
 References: Plat Cabinet 16 Slide 655  
 Moore County Registry



NORTH CAROLINA, MOORE COUNTY  
 I, Emmett S. Raynor, Professional Land Surveyor, do hereby certify that this map was drawn by me from my actual field survey, that the precision as determined by utilities and depicted hereon is 1:75,000, that the information herein is true and correct, and that this survey was made per legal descriptions listed under "Reference" herein, and that this map was prepared in accordance with G.S. 47-30, as amended.

Witness my signature, seal, and registration number this  
 23rd Day of November, 2015.  
 Emmett S. Raynor  
 Surveyor, L-2521



I, Emmett S. Raynor, PLS L-2521, do certify herewith that, in accordance with GS47-30(c)(11)(d):  
 That this is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision.

I, Dorothy Dutton, Review Officer of the State and County aforesaid, do hereby certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.  
 Review Officer  
 Date: 12/14/2015

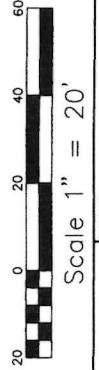
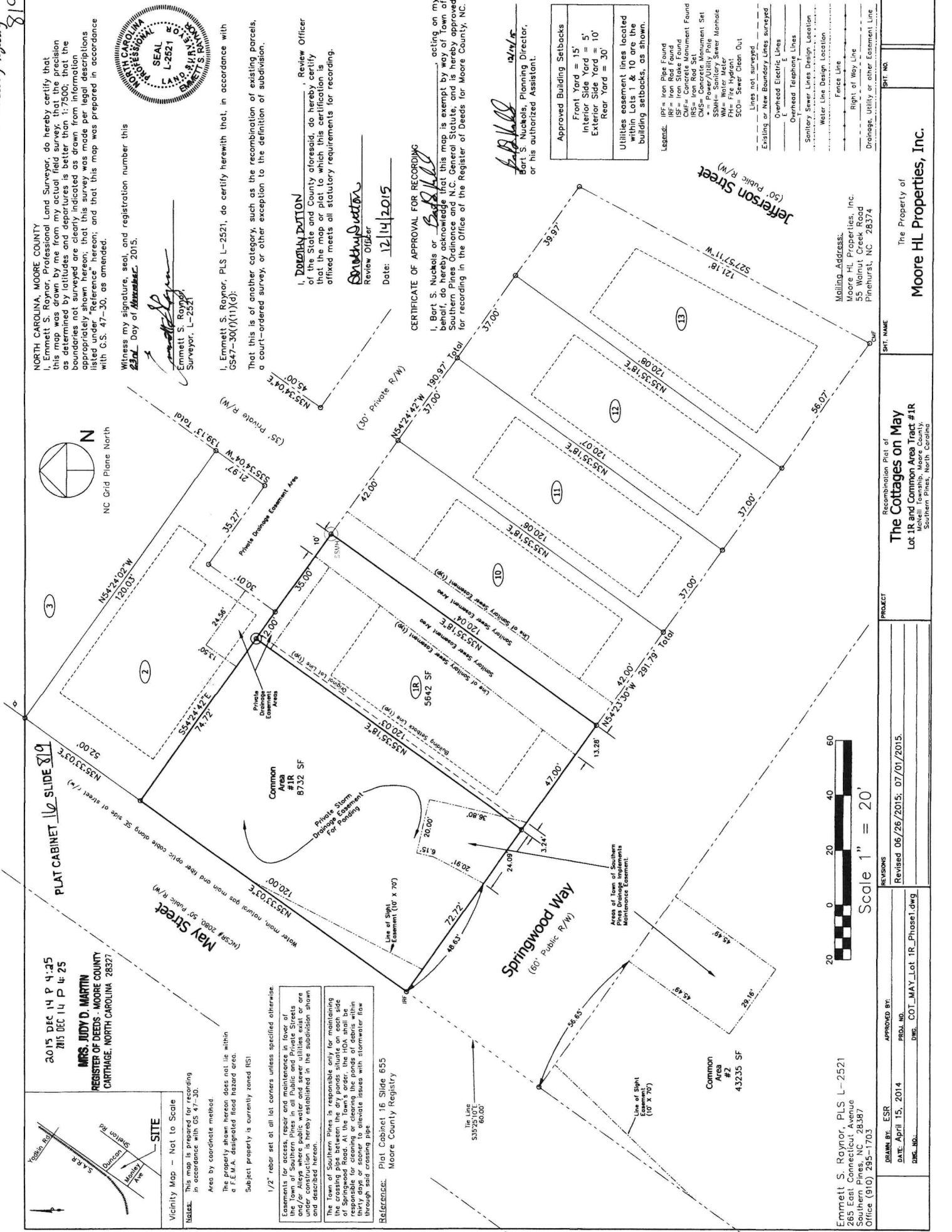
**CERTIFICATE OF APPROVAL FOR RECORDING**  
 I, Bart S. Nuckolls, acting on my behalf, do hereby acknowledge that this map is exempt by way of Town of Southern Pines Ordinance and N.C. General Statute, and is hereby approved for recording in the Office of the Register of Deeds for Moore County, NC.

Bart S. Nuckolls  
 Bart S. Nuckolls, Planning Director,  
 or his authorized Assistant.

Approved Building Setbacks
Front Yard = 15'
Interior Side Yard = 5'
Exterior Side Yard = 10'
Rear Yard = 30'
Utilities easement lines located within Lots 1 & 10 are the building setbacks, as shown.

- Legend:
- IPF= Iron Pipe Found
  - IRF= Iron Rod Found
  - CS= Iron Stake Found
  - SR= Survey Monument Found
  - IRS= Iron Rod Set
  - CMS= Concrete Monument Set
  - SSM= Steel/Aluminum Survey Marker
  - WM= Water Meter
  - FH= Fire Hydrant
  - SCD= Sewer Clean Out

- Lines not surveyed
- Existing or New Boundary Lines surveyed
- Overhead Electric Lines
- Overhead Telephone Lines
- Sanitary Sewer Lines Design Location
- Water Line Design Location
- Fence Line
- Right of Way Line
- Drainage, Utility or other Easement Line



PROJECT The Cottages on May Lot 1R and Common Area Tract #1R (Mottell Township, Moore County, Southern Pines, North Carolina)	REVISIONS Approved By: ESR Date: April 15, 2014 Prol. No.: Dwg. No.: COT_MAY_Lot_1R_Phase1.dwg	SHT. NO. 1
Recombination Plat of The Cottages on May Lot 1R and Common Area Tract #1R (Mottell Township, Moore County, Southern Pines, North Carolina)	Mailing Address: Moore HL Properties, Inc. 55 Walnut Creek Road Pinehurst, NC 28374	The Property of Moore HL Properties, Inc.



For Registration Register of Deeds

William Britton

Moore County, NC

Electronically Recorded

May 22, 2023 9:42:18 AM

Book: 6017 Page: 146 - 148 #Pages: 3

Fee: \$26.00 NC Rev Stamp: \$0.00

Instrument# 2023006655

**STATE OF NORTH CAROLINA**

**COUNTY OF MOORE**

**ASSIGNMENT OF DECLARANT RIGHTS**

**THE COTTAGES ON MAY**

This Assignment of Declarant Rights is made and entered into by and between **Moore HL Properties, Inc., a North Carolina corporation** ("Declarant") and **The Cottages on May Home Owners Association, Inc., a North Carolina nonprofit corporation** ("HOA"), (herein collectively the "Parties").

**WITNESSETH**

WHEREAS, a Master Declaration of Covenants, Conditions, and Restrictions for Morganton Park North was recorded in Book 4565, Page 465 of the Moore County Registry which was thereafter amended (as amended, the "Declaration");

WHEREAS, pursuant to the Declaration, all or any part of the rights and powers (including discretionary powers and rights) reserved by or conferred upon the Declarant by the Declaration may be assigned or transferred by the Declarant in whole or in part to any other party;

WHEREAS, Declarant now desires to transfer and assign to HOA all rights and obligations it has acquired as Declarant under the Declaration, or otherwise, and HOA desires to accept such assignment;

NOW, THEREFORE, in consideration of the premises, Declarant, as Assignor, does hereby assign and transfer to HOA, as Assignee, all of Assignor's rights and obligations as Declarant under the Declaration, and by signing below, Assignee accepts such assignment and the obligations thereof.

Submitted electronically by "Van Camp, Meacham & Newman, PLLC"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Moore County Register of Deeds.



ASSIGNEE:

The Cottages on May Home Owners Association, Inc.

By: [Signature]  
Title: President  
Date: 10-25-2022

STATE OF NORTH CAROLINA  
COUNTY OF MOORE

I certify that the following person(s) personally appeared before me this day and ( ) I have personal knowledge of the identity of the principal(s); ( ) I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a driver's license; ( ) a credible witness has sworn to the identity of the principal(s); the principal(s) acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name of Principal(s): Travis A. Green, President.

Date: 10-25-2022

[Signature]  
Notary Public

[NOTARY SEAL]



Melissa G. Wahl  
Printed or typed name of Notary Public  
My commission expires: 05-01-2027



IN WITNESS WHEREOF, the Parties have each caused this Assignment of Declarant's Rights to be signed as of the date set forth in the notary acknowledgment below.

ASSIGNOR:

Moore HL Properties, Inc.

*Dewey Thomas Holderfield* (SEAL)  
By: Dewey Thomas Holderfield, President

STATE OF

COUNTY OF

I, Melissa G Wahl, a Notary Public of the County and State aforesaid, certify that Dewey Thomas Holderfield, either being personally known to me or proven by satisfactory evidence (said evidence being \_\_\_\_\_), personally appeared before me this day and acknowledged that (s)he is President of Moore HL Properties, Inc., a North Carolina corporation, and that (s)he, as President, being authorized to do so, voluntarily executed the foregoing on behalf of the corporation for the purposes stated therein.

WITNESS my hand and official stamp or seal, this 25 day of October, 2022, \_\_\_

05-01-2027  
My Commission Expires:



*Melissa G Wahl*  
Notary Public

Melissa G Wahl



**Z-01-25 – List of Conditions Consented to by Applicant:**

1. The land uses shall be limited to the following:
  - a. LBCS 2421 - Office Administrative Services.
  - b. LBCS 6830 – Civic, social, or fraternal organization.
2. The coworking space will operate within standard business hours of 8 AM until 8 PM to minimize any potential disturbances to the surrounding residential area.
3. Exterior lighting and signage shall remain in harmony with the existing neighborhood aesthetics; and any replacement or new lighting and signage shall comply with the TOSP Unified Development Ordinance as amended. These measures will help maintain the residential character of the area while allowing for a functional and beneficial commercial use of the property.
4. The proposed neighborhood business zoning district shall be a reuse of a constrained site; therefore, all parking shall be permitted to be on Springwood Way, first utilizing four existing reserved spaces.

## Agenda Item

**To:** Planning Board

**Via:** BJ Grieve, Planning Director

**From:** Mason Mattox, Planner I

**Subject:** Z-02-25: Request to Rezone a Single Parcel from Central Business (CB) to Central Business Conditional Zoning District (CB-CD).

**Date:** March 20, 2025

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### I. SUMMARY OF APPLICATION REQUEST

Abbey George of VirtoKids LLC, on behalf of Southern Pines Associates, Inc., has submitted a request to rezone a parcel from Central Business (CB) to Central Business Conditional Zoning District (CB-CD) to allow the use of a portion of the subject property (i.e., 11 Camelia Way) as a child daycare with conditions on the use of the parcel. The parcel is identified as PIN 858106289730 (PARID 00040701). Pursuant to the Moore County tax record, the parcel is owned by Southern Pines Associates, Inc.

### II. PROJECT INFORMATION

<b>A. Physical Address</b> 11 Camelia Way Southern Pines, NC 28387	<b>B. Property Owner</b> Southern Pines Associates Inc. (Patricia Richardson) 1642 Aiken Road, Vass, NC 28394	<b>C. Applicant &amp; Agent</b> VirtoKids, LLC (C/O Abbey George) 1023 Devonshire Trail, Aberdeen, NC 28315
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#### D. Existing Zoning

The subject property is currently zoned Central Business (CB). The property is also located within the Town’s Local Historic District.

#### E. 2040 Comprehensive Plan Designation for General Framework, Conservation and Development, and Character Districts

##### *General Framework*

The parcel is located in an “Area to Strengthen” designation, which includes the remaining portions of Downtown. These areas “may need some additional, intentional support to overcome specific hurdles preventing them from reaching their full potential.”

##### *Conservation and Development*

The parcel is located in a “Mixed Use Area” designation, which “describes land offering opportunity to serve broader economic...needs in the community.” Mixed-use areas are further defined as being activity centers.

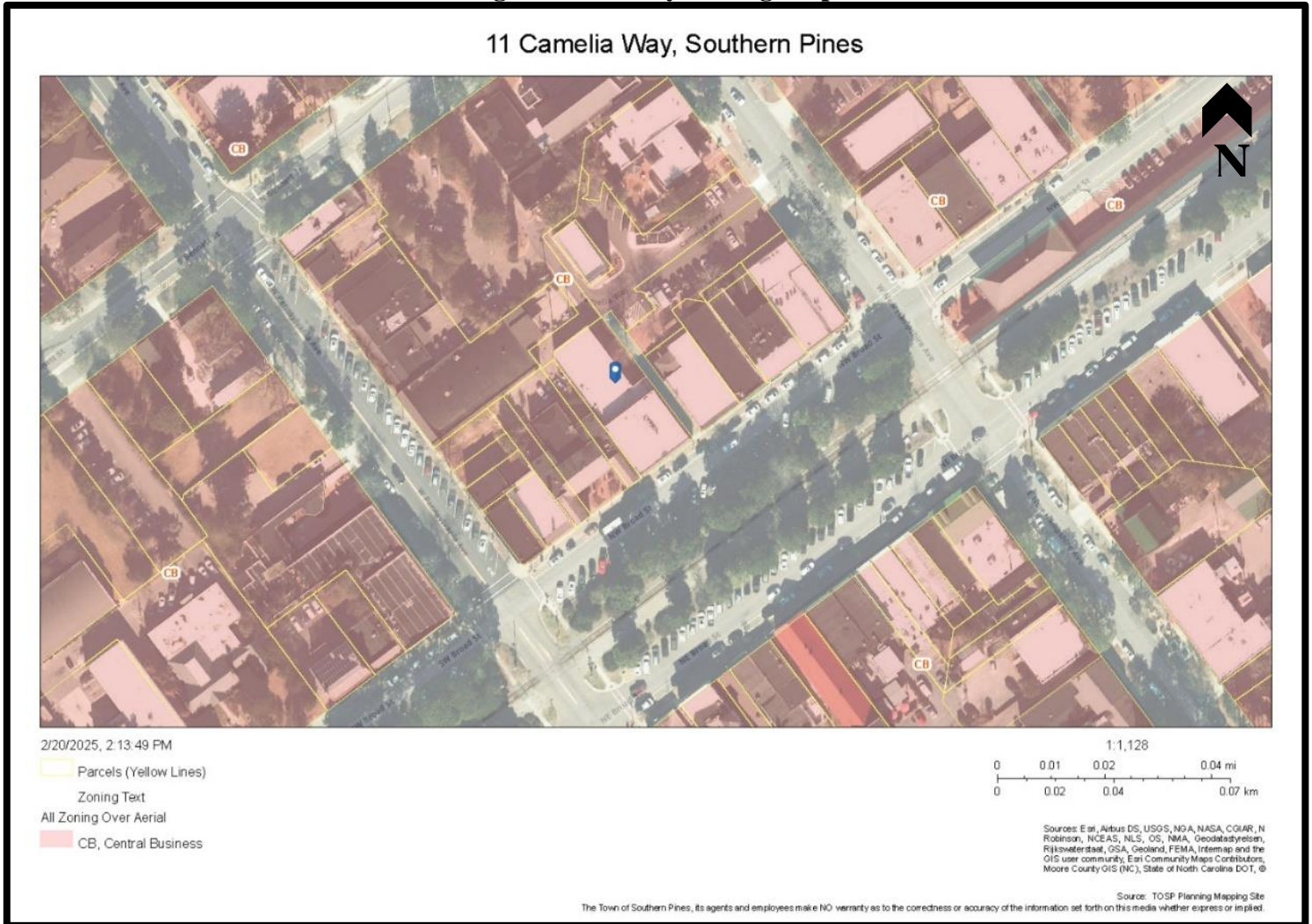
*Character District*

The parcel is located within the “Central Business District” which overlaps the Local Historic District in its entirety. This designation promotes the “historic buildings and walkable streets in the area [which] provide plenty of shops and restaurants for residents and visitors.”

**F. Proposed Conditions**

The applicant’s proposed conditions are Attachment #3 of the Planning Board’s March 20, 2025 staff report.

**Figure 1: Vicinity Zoning Map**



**III. STAFF REVIEW**

**1. Application Review Dates**

- Application Submitted: **February 10, 2025**
- Application Complete: **February 10, 2025**
- Technical Review Committee Review: **February 25, 2025**
- Planning Board Public Hearing Notice
  - Publication: **March 05, 2025** and **March 12, 2025**
  - Mail: **March 06, 2025**
  - Signage: **March 05, 2025**
  - Internet: **March 04, 2025**
- Planning Board Agenda Meeting: **March 13, 2025**
- Planning Board Regular Meeting: **March 20, 2025**

**2. Staff Consistency Evaluation Based on Criteria for the Rezoning of Subject Parcel for Zoning Map Amendment Review per UDO § 2.17.9**

When reviewing an application for zoning, the hearing bodies (Planning Board and Town Council) shall consider and be guided by the following criteria, as set forth in UDO §2.17.9 and outlined below. Furthermore, additional standards are expected of a conditional zoning district—a reclassification of property subject to specific conditions that ensure compatibility of the use with the use and enjoyment of neighboring properties—such as the one being proposed by the applicant. Conditional zoning is voluntary.

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

Planning staff have identified no inconsistencies between the proposal and 2040 Comprehensive Plan in regard to The General Framework Map, Conservation and Development Map, and Character Districts Map. See “2040 Comprehensive Plan Designation for General Framework, Conservation and Development, and Character Districts” for more information regarding these designations.

Policy 5.1 of the 2040 Comprehensive Plan “Evaluate Areas in Town Serving a Single Purpose, and Find Opportunities to Make Them Part of a More Complete and Self-Sustaining Community” highlights the need for bringing new employment and services to town residents. The proposal of zoning a portion of this parcel to allow for child daycare facilities begins to address a need for child care facilities within the Downtown area. Under this proposed use, many parents and guardians would be able to visit and support businesses Downtown that may otherwise be difficult to visit and support while also actively caring for children.

Prior to 2024, child daycare would not have been allowed in the CB - Central Business zoning district. Following adoption of the new 2040 Comprehensive Plan, a text amendment to the UDO was approved on March 12, 2024 that permitted child daycare in Residential and Central Business zones with the approval of a Conditional Zoning District.

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

In summary, considering the projected growth of the community, especially of families with younger children, the proposed land use would provide supporting infrastructure and is consistent with the 2040 Comprehensive Plan. Also, the Central Business Zoning designation is for areas which prioritize commerce and various other business and business-related services. It is reasonable to assume that the proposed daycare will not negatively impact the neighboring lands (businesses) as mitigated by proposed list of conditions. See (D) Health, Safety, and Welfare for more information regarding mitigating strategies proposed by the applicant. Further, the proposed land use of child daycare within a predominantly Central Business area begins to address a growing need for child care, likely permitting more parents and guardians of children to utilize neighboring businesses that may otherwise be inaccessible while caring for children.

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

As presently zoned, the use of child daycare is not permitted by-right within Central Business Zoning. Exhibit 3-15 of the Unified Development Ordinance permits the use of child daycares in Central Business only by Conditional Zoning. The land use is therefore permissible under the current Central Business zoning designation, once the Conditional zoning process has occurred. See (A) Consistency for more information relating the proposed usage to the 2040 Comprehensive Plan’s goals, objectives, and policies.

**Exhibit 3-15: Table of Authorized Land Uses**

Land Use	LBCS Code	Description	RE	RR	RS-1	RS-2	RS-3	RM-1	RM-2	CB/DTO	GB	NB	OS	I	FRR
child and youth services	6561	Offer services such as adoption, foster care, drug prevention services									Z	Z	Z		
child daycare	6562	Provide care for infants and preschool children, offer pre-kindergarten education programs	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	ZS	ZS	ZS		

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

Two primary safety concerns have existed related to the opening of a child care facility within the former Southern Pines Escape Room: The maximum number of children allowed within the space, and pick-up and drop-off on Camelia Way.

First, the proposed daycare which would share a portion of the building with a private fitness center that will be accessible through the same points of ingress/egress to 11 Camelia Way. Several discussions occurred between representatives from the Technical Review Committee. Most notably, discussions between the Town's Fire Department, Planning Department, and the applicants as well as their contracted design professionals have occurred to ensure that the two uses would have adequate space for both businesses to operate in tandem. Per 5.7 of the UDO, short-term day care centers that do not offer outdoor space must substitute the 25 square foot per child requirement for 35 square feet per child in lieu of a combination of indoor and outdoor space. The applicants, as well as representatives from the Town's Fire Department have been made aware of limitations on the maximum number of children permitted on a square footage basis, as is required under the zoning of 5.7 of the UDO. The day care facilities must also comply with all Building and Fire Code standards as an additional requirement of 5.7.

Second, per UDO 5.7.D: "For care of six (6) or more individuals, on Premises pick-up and drop-off areas shall be provided and curb cuts shall be approved by the Town Engineer and the NCDOT, when applicable." Per the applicant's submitted list of Conditions, clients will be required to escort children onto premises in lieu of a standard [automotive] drop-off and pick-up line, as is common in many educational facilities. Given the constraints of Camelia Way to accommodate stacking vehicles, the applicants have instead chosen to utilize conditional zoning as a means of mitigating this concern. Further, the applicants have submitted a proposed operations plan, which details drop-off and pick-up logistics, not with vehicular traffic, but with pedestrian traffic. These plans illustrate where parents/guardians and their respective children will queue while awaiting drop-off and pick-up while operating at maximum capacity. As shown on submitted operational plans, Planning staff, after conducting a routine site visit, believe that the applicants have adequately addressed and satisfied the criteria for drop-off and pick-up as currently required.

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

See comments under **Consistency**. The proposed use would comply with the 2040 Comprehensive Plan's policy objectives, including but not limited to mixed-use Development by incorporating child care facilities in a response to increased demand for these types of services in the area.

*(F) **Size of Tract.** The Hearing Body shall consider the size, shape, and characteristics of the Tract in relation to the affected neighboring lands. Amendatory ordinances shall not rezone a single Lot when there have been no intervening changes or other saving characteristics. Proof that a small Tract is unsuitable for use as zoned, or that there have been substantial changes in the immediate area, may justify ordinance rezoning.*

The rezoning is for one parcel, totaling 0.22 acres within the Central Business Zoning District of Downtown. The rezoning application does not include a proposal to create new space in terms of gross square footage on the property. Planning staff further find that the existing spaces are adequate to accommodate the mix of proposed land uses.

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

Per UDO 4.5.3.A, off-street parking is not required for this parcel. Clients of VirtoKids (and the shared business of Process Cycling) will utilize public parking spaces on Camelia Way and Broad Street, as do many businesses between Connecticut Avenue, Massachusetts Avenue, Bennet Street, and Ashe Street.

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

The rezoning request is for a conditional zoning district; therefore, the Planning Board may review and consider the applicant's representations.

### **3. Outside Agency Comments**

A request for comments was emailed to agencies on March 04, 2025. Agencies notified include Town of Southern Pines Streets, Public Works, Utilities, Fire, Recreation and Parks, and Engineering departments, the Regional Land Use Advisory Commission (RLUAC), United States Fish and Wildlife Services (US FWS), the Moore County Airport, and the North Carolina Department of Transportation (NCDOT). No comments have been received as of March 13, 2025.

#### **4. Staff Comments and Recommendation**

Approval of a conditional zoning district approves a specific use with conditions that mitigate the reasonably anticipated negative impacts of the proposed development and ensure compatibility with the surrounding area. Only conditions approved by the Town Council and consented to by the petitioner in writing may be incorporated into the conditional zoning district. If the applicant ever wishes to change an approved condition, they must follow the same rezoning procedure required to amend the official zoning map unless considered a minor change per UDO §2.17.11(K).

1. Planning staff recommend that the hearing bodies approve the conditions on the Central Business Conditional Zoning District as submitted by the Applicant in Attachment #3 of the Planning Board's March 20, 2025 staff report.

#### **IV. ATTACHMENTS**

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

1. Draft Planning Board Resolution to Adopt a Written Recommendation
2. Zoning Map Amendment Application
3. Applicant-Proposed List of Conditions
4. Applicant Narrative
5. VirtoKids Operation Plans

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

#### **V. PLANNING BOARD ACTION**

*The Planning Board shall consider the criteria for zoning map amendments found in UDO §2.17.9, including consistency with the 2040 Comprehensive Plan. Per North Carolina General Statute 160D-604(d), prior to consideration of the proposed map amendment by the Town Council, the Planning Board shall advise and comment on whether the proposed amendments are consistent with the Comprehensive Plan. The Planning Board shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendments by the Town Council.*

To assist the Planning Board in performing this task, town staff have prepared the following draft motions for the Planning Board’s consideration, possible modification as necessary, and adoption.

\* \* \*

**I move that after reviewing the proposed map amendments to the Town of Southern Pines Zoning Map and after considering the criteria for approval of map amendments found in UDO §2.17.9:**

- 1. The proposed amendments are consistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment 1 of staff report Z-02-25;**
2. The proposed amendments are consistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment 1 of staff report Z-02-25 as revised by the Planning Board;
3. The proposed amendments are inconsistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment 1 of staff report Z-02-25 as revised by the Planning Board;

I further move that the following other matters were considered by the Planning Board and shall be added to Attachment 1 by Planning staff as part of the Planning Board’s written recommendation to the Town Council:

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

- 2. Recommend approval of Z-02-25 to the Town Council with the conditions on the Central Business Conditional Zoning District as listed in Attachment #3 of the Planning Board’s March 20, 2025 staff report.**
3. Recommend denial of Z-02-25 to the Town Council

*Note that the effect of Town Council approval of a conditional zoning district and all conditions that have been attached to the approval are binding on the property as an amendment to the Zoning Map. All subsequent Development and use of the property shall be in accordance with the standards for the approved Conditional Zoning district; the approved petition and all conditions attached to the approval. Only those uses and structures indicated in the approved petition shall be allowed on the subject property. Any Development in the district shall comply with all provisions of and conditions to the approved petition. Any uses and structures on the subject property also shall comply with all standards and requirements for Development in the underlying general zoning district. Lastly, minor changes in the detail of the approved petition or Site Plan that do not involve a change in uses permitted or the density of overall Development permitted and that will not alter the basic relationship of the proposed Development to surrounding properties or the standards. Lastly, minor changes in the detail of the approved petition that do not involve a*

*change in uses permitted or the density of overall Development permitted and that will not alter the basic relationship of the proposed Development to surrounding properties or the standards.*



**PLANNING BOARD  
RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION  
FOR ZONING MAP AMENDMENT APPLICATION  
FOR A CONDITIONAL ZONING DISTRICT  
Z-02-25**

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

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

**WHEREAS**, the Planning Board has reviewed the proposed zoning map amendment—which includes the written staff report and application materials showing the proposed district boundaries, and has conducted a public hearing on March 20, 2025, to listen to public comments, ask questions of the Town’s planning staff, and consider zoning map amendment application #Z-02-25.

**NOW, THEREFORE BE IT RESOLVED** that the Planning Board finds and recommends to the Town Council that the proposed amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest, and consistent with the criteria set forth in the Town of Southern Pines Unified Development Ordinance §2.17.9. The Planning Board recommends that the Town Council approve the zoning map amendment request for the subject parcel, identified as PIN 858106289730 (PARID 00040701), totaling 0.2 acres. The proposed zoning amendment is consistent with the Town of Southern Pines 2040 Comprehensive Plan. The plan advises decision makers to consider future needs when reviewing development applications. The application aligns with the objectives of the “Areas to Strengthen” and “Mixed-Use Area” designations, as well as the Central Business Character District, which shares some overlay with the Town’s Local Historic District. Specifically, Policy 5.1 of the 2040 Comprehensive Plan advocates for the introduction of new employment and service opportunities for Town residents. The proposal to rezone the property to permit a child daycare facility within an existing Central Business zoning district is therefore reasonable and consistent with these goals. Further, the final, mutually agreed-upon list of conditions adequately addresses potential adverse impacts to neighboring lands. The Planning Board determined that any reasonably foreseeable impacts on neighboring properties or the general health, safety, and welfare of the community have been appropriately addressed.

The Planning Board recommends the Town Council adopt this zoning amendment (i.e., #Z-02-25), which rezones the property from Central Business (CB) to Central Business Conditional [Zoning] District (CB-CD) with the following conditions to which the applicant has consented:

1. PARID 00040701 includes multiple addresses; 140, 144, 146, & 148 NW Broad Street; and 9 Camelia Way, which shall remain a Central Business conventional zoning district. However, the commercial unit located at 11 Camelia Way shall be limited to LBCS 5372 (Private Facility) and LBCS 6562 (Child Daycare) and UDO 3.4.3 (Parcels Divided by District Lines) shall not apply.

The following conditions shall apply exclusively to the LBCS 6562 portion of 11 Camelia Way:

A. The typical hours of operation will be Monday through Friday, from 7:00 AM to 7:00 PM, and Saturdays from 7:00 AM to 8:00 PM. Occasionally, weekday and weekend hours may extend until 10:00 PM for special events, such as First Friday, Cupid Crawl, and other similar occasions.

B. Clients are required to utilize the public parking spaces in downtown and are required to escort their children onto the premises for drop-off and pick-up as shown on operational plans attached to the ordinance. Drive-up drop-off and pick-up shall not be permitted under any circumstances.

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**ADOPTED** this the 20<sup>th</sup> day of March, 2025.

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Matthew Walden, Chairman

**ATTEST:**

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Cindy Williams  
Secretary to the Planning Board



Conditional Zoning District Application

Fee: \$1,500.00 Date Received: Case No.: Z- -

Project Information:

Street Address: 11 Camelia Way Southern Pines, NC 28387
PIN: 858106289730 Parcel ID: 00040701
Site Size: 0.216 acre Current Zoning: CB

Applicant:

Name(s): Virtokids LLC
Email: info@virtokids.com Phone: 910 280 6699
Mailing Address: 1023 Devonshire Trail Aberdeen, NC 28315

Authorized Agent, if different from Applicant:

Name(s): Abbey George
Email: info@virtokids.com Phone: 910 280 6699
Mailing Address: 1023 Devonshire Trail Aberdeen, NC 28315

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

Name(s): Southern Pines Associates, Inc.
Email: Patrichardson302@gmail.com Phone: (978) 302-9351
Mailing Address: 1642 Aiken Road Vass, NC 28394

5/1/24

**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 approve a zoning map amendment to \_\_\_\_\_ - Conditional Zoning District per the requirements of the Town of Southern Pines Unified Development Ordinance (UDO) §2.17. The information included is submitted in support of this application. I grant Town of Southern Pines staff, Planning Board and Town Council access to the subject property/properties while this zoning map amendment application is under review.

Date: 2/4/25

Abbey George  
Applicant

PLANNING DEPARTMENT  
TOWN OF SOUTHERN PINES  
801 SE Service Road, Southern Pines, NC 28387  
[plan@southernpines.net](mailto:plan@southernpines.net) (910) 692-4003 [www.southernpines.net](http://www.southernpines.net)

5/1/24

**APPOINTMENT OF AGENT**

The undersigned owner(s), PATRICIA RICHARDSON ~~SOUTHERN PINES ASSOCIATES, INC~~ by appoint(s) Abbey George as the exclusive agent for the purpose of making an application to the Town of Southern Pines for an amendment to the zoning of the property described in the attached application. The owner(s) hereby agree(s) that this agent has the authority to act for and on behalf of the owner(s) as follows:

1. to submit an application and required supplemental materials;
2. to appear at public meetings and give representation and comments on behalf of the owner(s);
3. to accept conditions or recommendations made by the Town of Southern Pines Planning Board and Town Council for a rezoning of the subject property to a Conditional Zoning District; 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 an amendment to the zoning of the subject property under the Town of Southern Pines Unified Development Ordinance.

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

Signed this 6th day of February, 2025.

[Signature]  
PATRICIA RICHARDSON  
For: SOUTHERN PINES ASSOCIATES, INC  
Property Owner

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

Abbey George  
Agent

TAX: 10.00 RECORDING  
202.00 STAMP  
212.00 TOTAL  
MAY: 10.00 PG. 202.00 Stamp

TAX ADDRESS  
RECORDING \$ 10.00  
STAMP 202.00  
TOTAL \$ 212.00  
MOORE COUNTY

STATE OF NORTH CAROLINA  
APR 26 1990  
RR. 10/13

Real Estate Excise Tax  
202.00

BOOK PAGE  
716 00396  
Apr 26 4 31 PM '90

MRS. JUDITH M. ADAMS  
REGISTER OF DEEDS  
MOORE COUNTY, N.C.

Recording Time, Book and Page

Tax Lot No. .... Parcel Identifier No. ....  
Verified by ..... County on the ..... day of ....., 19.....  
by .....

Mail after recording to .....

This instrument was prepared by WYRICK, ROBBINS, YATES & PONTON (J. Kemp Sharroo, III)  
(without title examination and with description supplied by Grantor)  
Brief description for the Index Pope Building, McNeill's Township

### NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 19th day of April, 1990, by and between

GRANTOR

GRANTEE

JOHN W. POPE U/A Dated July 28, 1986, for the John William Pope Revocable Trust

SOUTHERN PINES ASSOCIATES, INC.

Enter in appropriate block for each party: name, 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, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Southern Pines, McNeill's Township, Moore County, North Carolina and more particularly described as follows:

BEING Lot No. 4 in Block "K" & 4 (Four), as located on a map entitled: "A Map of Southern Pines, Moore County, North Carolina," which said map is filed in the Office of the Register of Deeds of Moore County, together with a sixteen (16)-foot alleyway between Lots Nos. 4 and 5 in said Block "K" & 4 (Four), and more particularly described by metes and bounds as follows: BEGINNING at a point on West Broad Street, twelve (12) feet southwesterly from Leavitt's south corner, Deed of July 22, 1916; and running thence with the northerly side of the alley between Lots Nos. 4 and 5 to the Central Square; thence with the line of the Central Square and Lot No. 4 to the corner of the Central Square; thence with a line of Lot No. 4 to its south corner in the line of Broad Street; thence with the line of Broad Street sixty-two (62) feet four (4) inches to the BEGINNING, being Lot No. 4 and alley adjoining Block "K" & 4 (Four).

Schedule "A" attached hereto is a true and accurate copy of a portion of the trust agreement entitled "John W. Pope U/A Dated July 28, 1986, for the John William Pope Revocable Trust" dealing with the powers of the Trustee. The undersigned herewith confirms that on July 28, 1986, and at all times subsequent to that date through and including April 23, 1990, the powers enumerated in Schedule "A" have remained the same.

2 2065

The property hereinabove described was acquired by Grantor by instrument recorded in .....

A map showing the above described property is recorded in Plat Book ..... page.....

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 is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

1. Current and subsequent years' ad valorem taxes.
2. Easements, rights-of-way, and restrictions of record and as shown on the recorded plat.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

.....  
 (Corporate Name)  
 BY: .....  
 .....  
 President  
 ATTEST: .....  
 .....  
 Secretary (Corporate Seal)

USE BLACK INK ONLY

*John W. Pope* ..... (SEAL)  
 John W. Pope, Trustee  
 ..... (SEAL)  
 ..... (SEAL)  
 ..... (SEAL)

SEAL-STAMP



NORTH CAROLINA, ..... County.

I, a Notary Public of the County and State aforesaid, certify that JOHN W. POPE, Trustee (U/A Dated July 28, 1986, for the John William Pope Revocable Trust), Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 23<sup>rd</sup> day of April, 1990.

My commission expires: April 27, 1991 *Lorraine C. Stainback* Notary Public

SEAL-STAMP

NORTH CAROLINA, ..... County.

I, a Notary Public of the County and State aforesaid, certify that ..... personally came before me this day and acknowledged that ..... he is ..... Secretary of ..... a North Carolina corporation, and that by authority duly given and at the act of the corporation, the foregoing instrument was signed in its name by its ..... President, sealed with its corporate seal and attested by ..... as its ..... Secretary. Witness my hand and official stamp or seal, this ..... day of ....., 19.....

My commission expires: ..... Notary Public

North Carolina—Moore County

The foregoing Certificate(s) of Lorraine C. Stainback, Notary Public

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Judith M. Adams REGISTER OF DEEDS FOR MOORE COUNTY  
 BY *Judy W. Martin* Deputy/Assistant - Register of Deeds

SCHEDULE "A"Powers of Trustees.

(a) In the management, care, and distribution of each trust created herein, I confer upon the Trustee of such Trust, and any successor Trustee, pursuant to the provisions of North Carolina General Statutes §32-26, all of the powers set forth in General Statutes §32-27, which are hereby incorporated by reference as they exist at the time of the execution of this Trust, except for General Statutes §32-27(29) which is expressly not incorporated herein. The Trustee, and any successor Trustee, shall also have, in addition to the powers incorporated hereinabove, the powers, authority, and discretion hereinafter set out.

(d) The Trustee of any trust created herein shall be authorized to sell any property to, or to purchase any property from, any other trust created herein or created by me during life, or my estate or the estate of my wife or any descendant of mine, or any trust created by my wife or any descendant by will or during life, at the fair market value thereof, or to lend money to any such estate or trust at an adequate rate of interest and with adequate security, as determined by the Trustee, even though the same person or corporation may be acting as Trustee of any of such other trusts or as an Executor of any such estate and as a Trustee hereunder, provided that no money or property excludable under Section 2039(c) of the Internal Revenue Code of 1954, as amended, shall be paid or applied, directly or indirectly, to or for the benefit of my estate or the personal representative thereof, unless such money or property is otherwise includable in my estate for federal estate tax purposes.

1. PARID 00040701 includes multiple addresses; 140, 144, 146, & 148 NW Broad Street; and 9 Camelia Way, which shall remain a Central Business conventional zoning district. However, the commercial unit located at 11 Camelia Way shall be limited to LBCS 5372 (Private Facility) and LBCS 6562 (Child Daycare) and UDO 3.4.3 (Parcels Divided by District Lines) shall not apply. The following conditions shall apply exclusively to the LBCS 6562 portion of 11 Camelia Way:

- A. The typical hours of operation will be Monday through Friday, from 7:00 AM to 7:00 PM, and Saturdays from 7:00 AM to 8:00 PM. Occasionally, weekday and weekend hours may extend until 10:00 PM for special events, such as First Friday, Cupid Crawl, and other similar occasions.
- B. Clients are required to utilize the public parking spaces in downtown and are required to escort their children onto the premises for drop-off and pick-up as shown on operational plans attached to the ordinance. Drive-up drop-off and pick-up shall not be permitted under any circumstances.

**Conditional Zoning Narrative**

**Project Name:** Drop-Off Play with Childcare for the Public – VirtoKids LLC

**Applicant:** VirtoKids LLC

**Location:** 11 Camelia Way, Southern Pines, NC 28387

**Date:** February 4, 2025

This Conditional Zoning Narrative is being submitted alongside the application for a Central Business (CB) to Central Business Conditional [Zoning] District (CB-CD for the proposed development at 11 Camelia Way. The intent of this application is to seek approval for a Drop-Off Play service with childcare for the public, offered by VirtoKids, within the Central Business (CB) zone. The project will operate under specific conditions outlined in this narrative, ensuring compatibility with the surrounding community and zoning requirements.

**Project Description:**

The proposed project involves a collaboration between VirtoKids LLC and Process Cycling, where VirtoKids will sublease a space from Process Cycling. The facility will feature a uniquely designed open play area where children can enjoy two-hour or shorter sessions of supervised play with secure childcare, while their guardians participate in local activities. Our max capacity for our side of the building is 50, but we plan to stay around the 35 - 40 mark to keep it roomy. These activities may include workouts at the nearby fitness center, shopping, business meetings, health appointments, or even catching a movie at the Sunrise Theater.

The site is currently zoned as CB, and the proposed use requires a Central Business Conditional [Zoning] District (CB-CD) to ensure it aligns with community needs, existing infrastructure, and zoning requirements. The goal of the project is to provide quality care and open play for the public, extending beyond just attendees of Process Cycling.

**Requested Conditional Zoning:**

We are requesting conditional zoning approval for the following:

1. Process Cycling has submitted a conditional zoning application to allow us to provide childcare and open play for their clients and instructors. We would like to expand this service to the public.

**Compliance with Zoning Ordinance:**

The proposed use of the property is in alignment with the objectives of the zoning district. The site is well-suited for the intended use, and any potential impacts—such as traffic, noise, or visual concerns—have been addressed through thoughtful design and by adhering to the conditions-

**Proposed Mitigations and Benefits:**

- **Traffic and Parking:** Clients will utilize downtown parking and walk inside of the the facility for a streamlined pickup and drop-off process. No drive up and drop off will be allowed.

- **Buffering and Landscaping:** Not applicable.
- **Hours of Operation:** Our operating hours will be Monday through Friday from 7 AM to 6 PM, and Saturday from 7 AM to 8 PM.
- **Public Services and Infrastructure:** Not applicable.

In summary, we believe that the requested and accompanying zoning conditions will allow for the successful development of the VirtoKids while ensuring minimal impact on the surrounding community and environment. We respectfully request the approval of this zoning application, as we have made every effort to design the project in a way that complies with local regulations and addresses community concerns.

