



## AGENDA

Tuesday, April 8, 2025: 6:00 PM

Town Council Business Meeting

E.S. Douglass Community Center: 1185 W. Pennsylvania Ave

### 1. CALL TO ORDER

### 2. PLEDGE OF ALLEGIANCE

### 3. TOWN MANAGER'S COMMENTS

### 4. PUBLIC COMMENTS

### 5. CONSENT AGENDA

**a. Appointment of Councilmember Gray to Treasurer and Councilmember Petersen to Vice Treasurer effective 05-02-25**

**b. Approve Meeting Minutes**

Staff has prepared the following minutes for approval:

- March 11, 2025, Town Council Business Meeting
- March 25, 2025, Town Council Work Session

**c. Approve Resolution #1110 - Declaring the Badge & Service Weapon of Brian Edwards Surplus Upon His Retirement**

Approve Resolution #1110 - Declaring the Badge & Service Weapon of Brian Edwards Surplus Upon His Retirement

**d. Approve Resolution #1111 - Senate Bill 314 – An Act to Eliminate the Extraterritorial Jurisdictions (ETJ) of Cities in Counties with Zoning Regulations to Prevent Regulatory Overlap and Streamline Land Use Decisions**

Staff requests approval for Resolution #1111: Senate Bill 314 – An Act to Eliminate the Extraterritorial Jurisdictions (ETJ) of Cities in Counties with Zoning Regulations to Prevent Regulatory Overlap and Streamline Land Use Decisions

**e. 2025 Audit Contract**

Staff requests the approval of the 2025 Audit Contract

**f. Resolution #1112 - Recognizing Library Week**

Resolution #1112 - Recognizing Library Week and Town Library Staff

### 6. PUBLIC HEARINGS - LEGISLATIVE

**a. Z-07-24 Conditional Zoning District - Huntcliff Residential Development (Continued from March 11, 2025)**

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 conditions to allow the development of either single-family detached units or duplexes totaling no more than 11 dwellings/residences - on ±4.13 acres. This public hearing is continued from the March 11, 2025 Regular Meeting.

**b. Z-01-25 Conditional Zoning District - Meet on May Commercial Coworking Space**

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 located at 220 Springwood Way 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.

**c. Z-02-25 Conditional Zoning District - Virtokids Commercial Daycare**

Abbey George of VirtoKids LLC, on behalf of Southern Pines Associates, Inc., has submitted a request to rezone a parcel located at 11 Camelia Way 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.

**7. ACTION ITEMS**

**8. ADJOURNMENT**

*Meetings/work sessions of the Southern Pines Town Council are now available on the Town's [YouTube channel](#). Video of the Town Council meetings will be live streamed on the channel for viewing either during the meetings or after they have concluded. Please note, the video is provided only for the purposes of viewing the meetings; public comments or questions are not accepted via the live stream. To receive notifications when new content is published, please "subscribe" to the Town's channel at <https://bit.ly/3hXx2Qk>*



## MINUTES

Tuesday, March 11, 2025: 6:00 PM

Town Council Business Meeting

E.S. Douglass Community Center: 1185 W. Pennsylvania Ave

### 1. CALL TO ORDER

Mayor Clement called the meeting to order. The following members of Town Council were present: Mayor Taylor Clement; Bill Pate; Ann Petersen; Debra Gray; and Brandon Goodman.

### 2. PLEDGE OF ALLEGIANCE

### 3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

#### a. Approve Agenda

Mayor Pro Tem Pate requested that Item 5a be moved from the Consent Agenda to the Action Items, making it Item 7c to allow citizens to comment should they want to. All councilmembers were in agreement.

Mayor Pro Tem Pate moved to approve the meeting agenda with the move of Item 5a to 7c, seconded by Councilmember Gray: the vote was unanimous.

Motion passed.

### 4. PUBLIC COMMENTS

No public comments were voiced.

### 5. CONSENT AGENDA

Mayor Pro Tem Pate moved to approve the Consent Agenda with the move of Item 5a to 7c, seconded by Councilmember Petersen: the vote was unanimous.

Motion passed.

#### a. Approve Ordinance #3108: Code Revision to Permit Off Premises Alcohol Sales at Farmers Market

Cameron-based James Creek Cider House has approached the Town about selling their hard ciders at our Farmers Market. The intent is to sell closed bottles for off-premise consumption elsewhere. With some minor amendments to the Code of Ordinances, this request could be permitted, if Council desires. The Moore County Farmers Market has expressed support for this amendment.

Discussion ensued.

Mayor Pro Tem Pate moved to approve Ordinance #3108: Code Revision to Permit Off-Premises Alcohol Sales at Farmers Market, seconded by Councilmember Goodman; the vote was unanimous.

Motion passed.

#### b. Authorize Town Manager to Execute NCDOT Utility Relocation Agreement

The NCDOT U5814/5815 (US1/15-501) project has begun, which includes the relocation of Town-owned water and sewer utilities. State law mandates that the Town pay for 25% of the non-betterment cost, which is \$811,714.75 for this project. Staff asks that Town Council authorize the Town Manager to execute the agreement.

**c. Approve Meeting Minutes**

Staff has prepared the following meeting minutes for approval:

- January 14, 2025, Town Council Business Meeting
- February 11, 2025, Town Council Business Meeting
- February 28, 2028, Town Council Work Session Meeting

**6. LEGISLATIVE PUBLIC HEARINGS**

**a. OA-03-24: Landscaping & Tree Protection Amendments**

A continuation of a legislative public hearing that began at the November 12, 2024 meeting, and was continued three months at the December 17, 2024 meeting, regarding proposed amendments to the UDO.

Planning Director Grieve reminded the Council that this item was originally on the November 2024 agenda and had been postponed to today's meeting due to the recent passage of Senate Bill 382 and discussion in the state legislature regarding amending the bill. Staff suggested another continuance to the June 10, 2025, meeting since the discussion is still ongoing.

Mayor Pro Tem Pate moved to continue the hearing for OA-03-24 to June 10, 2025. Councilmember Petersen seconded the motion and the vote was unanimous.

Motion Passed.

**b. Z-04-24 & OA-04-24: Zoning Map Amendment and UDO Text Amendments to Create Two Character Districts**

A continuation of a legislative public hearing that began at the November 12, 2024 meeting, and was continued three months at the December 17, 2024 meeting, related to the creation of a Downtown Character District and a West Southern Pines Character District.

Planning Director Grieve reminded the Council that this item was originally on the November 2024 agenda and had been postponed to today's meeting due to the recent passage of Senate Bill 382 and discussion in the state legislature regarding amending the bill. Staff suggested another continuance to the June 10, 2025, meeting since the discussion is still ongoing.

Discussion ensued.

Mayor Pro Tem Pate moved to continue the hearing for Z-04-24 & OA-04-24 to June 10, 2025. Councilmember Petersen seconded the motion and the vote was unanimous.

Motion Passed.

**c. Z-07-24 Conditional Zoning District Rezoning for 4.13 Acres on E. Indiana Avenue**

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 25 conditions to allow the development of either single-family detached units or duplexes totaling no more than 11 dwellings/residences - on ±4.13 acres.

Planning Director Grieve presented the application and staff report to the Council.

**Public Comments**

- Shannon Smith, 1624 Indiana Ave. #14, Huntcliff HOA President, stated that the 6 properties have been deeded to Huntcliff HOA. Discussion ensued as to who and what was owned, including the land beneath the townhomes. Ms. Smith continued by addressing the homeowners' concerns regarding the development and phasing of construction.
- Meredith Mucci, 103 Canterbury Road, addressed the Council stating the area in question should never have been rezoned to R1 due to the rezoning being a condition of a prior application that was never fulfilled. Discussion ensued.

- Marco Rotting, 1605 E. Indiana Ave., invited the council to come to his home and view the amount of traffic on Indiana Ave. and shared his concerns that the proposed development will increase the traffic congestion further.
- Mark Moen, 30 Broad St., shared his concerns about the over-development of the area.

Councilmember Goodman moved to excuse Councilmember Petersen from the meeting, seconded by Councilmember Gray; the vote was unanimous.

Motion Passed.

Councilmember Petersen exited the meeting at 7:15 pm.

- Shannon Courtley, 250 Broad Street, is concerned about the effect the construction will have to the wildlife that currently lives in the area.
- Andrea Pedicelli, 102 Canterbury Road, shared her strong opposition to the proposed 11-unit development and believes it threatens the character, stability and livability of the current neighborhood.

Jeremy Sparrow, Longitude Planning Group, represents the applicant. Mr. Sparrow presented a PowerPoint presentation and gave some detailed responses to the concerns raised during the public comments.

Discussion ensued.

Craig Phifer, attorney for the applicant, spoke regarding the restrictive covenants put into place in 1982 on the property that requires the approval of the HOA on the architectural plans.

Discussion ensued.

Bobby Hartlick, 108 Canturbury Rd., asked the Council for copies of the maps in the presentation and was informed that they were available online in the meeting packet already or a person could come by the Community Development Building and get a hard copy.

Bryan Pascal, applicant, addressed the Council regarding the HOA and combining the new and old.

Discussion ensued.

Mayor Pro Tem Pate moved to continue the hearing for Z-07-24 to the April 8, 2025, meeting. The motion was seconded by Councilmember Goodman and the vote was unanimous.

Motion passed.

## **7. ACTION ITEMS**

### **a. Consider RD-01-25: Offer of Dedication for Southern Road**

MSP Retail II, LLC is petitioning the Town of Southern Pines to accept an offer of dedication for an extension of Southern Road from the former dead-end behind Kohl's east to a connection with Carolina Green Parkway.

Planning Director Grieve gave a brief overview of the request.

Discussion ensued.

Councilmember Goodman moved to accept the offer of Dedication for Southern Road, seconded by Mayor Pro Tem Pate; the vote was unanimous.

Motion passed.

### **b. Consider Resolution #1108 - Opposition to NC Senate Bill 382 RE: Zoning Authority of Local Governments**

Resolution #1108 has been drafted to express the Town's opposition to NC Senate Bill 382 RE: Zoning Authority of Local Governments.

Town Manager Parsons gave a brief overview of the item.  
Discussion ensued.

Mayor Pro Tem Pate moved to approve Resolution #1108 - Opposition to NC Senate Bill 382 Regarding Zoning Authority of Local Governments. The motion was seconded by Councilmember Goodman and the vote was unanimous.

Motion passed.

**8. ADJOURNMENT**

Upon motion by Mayor Pro Tem Pate, seconded by Councilmember Gray and carried unanimously, Council adjourned at 8:43 pm.

Motion passed.

Respectfully submitted:

---

Elizabeth Robertson, Town Clerk

DRAFT



## MINUTES

Tuesday, March 25, 2025: 3:00 PM

Town Council Work Session

C. Michael Haney Community Room: Southern Pines Police Department

450 W. Pennsylvania Ave

### 1. CALL TO ORDER

Mayor Clement called the meeting to order. The following members of Town Council were present: Mayor Taylor Clement; Bill Pate; Ann Petersen; Debra Gray; and Brandon Goodman.

### 2. PLEDGE OF ALLEGIANCE

### 3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

### 4. COUNCIL UPDATES AND DISCUSSION

#### a. Update on Housing Supply Project

Planning staff will update Town Council on the work completed so far to implement housing supply goals and policies in the 2040 Comprehensive Plan. The update will include a summary of lessons learned so far from the ad hoc housing supply focus group and presentation of planning staff's next steps.

Senior Planner Alaina Mallette gave a presentation on one of the implementation projects for Phase II of the Comprehensive Long-Range Plan, which was to expand housing options and implement policy 7.1 to promote diversity of housing (types, sizes and costs).

Discussion ensued.

#### b. FY 25-26 Budget Introduction: Revenue forecasts and discussion regarding Waste Fees

Staff will share some preliminary information about the FY 25-26 budget, including recommended fees for solid waste services.

Asst. Town Manager Jessica Roth and Asst. Town Manager/Fire Chief Michael Cameron shared a presentation on the FY 25-26 Budget.

Discussion ensued.

#### c. Council Appointments

In December, Council discussed revisiting the appointment of a Treasurer in March. Councilwoman Petersen currently serves in this role.

Mayor Clement opened the discussion.

Discussion ensued. Councilmember Petersen voiced her displeasure at being removed from the position of treasurer.

The Matter will be postponed to the April 8, 2025, Council meeting

#### d. Planning Department Update

Planning staff will briefly update the Town Council on agenda items coming in April. Staff will also follow-up on last month's presentation about the Planning Department's administrative fees, and brief the Council on Senate Bill 314.

Planning Director Grieve presented an overview of the items that will be on the April meeting agenda.

## 5. ACTION ITEMS

### a. Appearance Commission Appointment

Appoint Jerrilyn Crowell to the Appearance Commission.

Councilmember Goodman moved to appoint Jerrilyn Crowell to the Appearance Commission, seconded by Councilmember Gray; the vote was unanimous.

Motion passed.

### b. Historic District Commission Appointment

Elizabeth Oettinger's first term on the Historic District Commission expired on February 8, 2025. Ms. Oettinger is interested in serving a second term. Planning staff is requesting Town Council consider re-appointing Ms. Oettinger to the HDC for a second consecutive term to expire on March 24, 2029.

Mayor Pro Tem Pate moved to reappoint Elizabeth Oettinger to the Historic District Commission for a second term to expire on March 24, 2029, seconded by Councilmember Gray; the vote was unanimous.

Motion passed.

### c. Approve Budget Ordinances #3109 & #3110

Budget amendments involving SBITA adjustments, appropriation of insurance proceeds toward police vehicles, and moving money from Facilities to Fleet for necessary repairs at the Town fueling area.

Finance Director Tess Brubaker-Speis gave a brief overview of the request.

Councilmember Goodman moved to approve Budget Ordinance #3109 & #3110, seconded by Councilmember Gray; the vote was unanimous.

Motion passed.

### d. Request to Approve Selection of an Audit Firm for FY25

Staff have reviewed six proposals for Auditing Services for the next three fiscal years and recommend Council acceptance of a proposal submitted by the firm of Mauldin & Jenkins.

Town Manager Parsons and Finance Director Brubaker-Speis gave a brief overview of the request.

Councilmember Goodman moved to approve the selection of an Audit firm for FY 2025, seconded by Mayor Pro Tem Pate; the vote was unanimous.

Motion passed.

## 6. COUNCIL ROUNDTABLE

Mayor Clement moved to excuse Mayor Pro Tem Pate from the meeting at 5:42 pm, seconded by Councilmember Gray; the vote was unanimous.

Motion passed.

Councilmember Goodman asked who was responsible for reporting streetlights that might be out and would like someone to periodically look out for.

Councilmember Petersen feels a larger discussion is needed with regard to Southern Pines providing water for sale to other local entities.

- would like to revisit skateboarding due to the Visitor's Center still having issues.
- would like to discuss a way to protect the trees in Knollwood from being cleared due to sewer lines.
- is upset that the staff picking up yard debris is encountering verbal abuse from citizens.
- Kudos to Isabella Beverly on her speech at the Girls and Boys Club

Councilmember Gray Trinity AM Church approved for designation as a historical site and would like to

explore signage in West Southern Pines. Councilmember Petersen recommended petitioning the State for one of their metal markers.

**7. CLOSED SESSION**

**a. Closed Session to discuss a personnel matter**

Town Manager Parsons requests a Closed Session under N.C.G.S. §143-318.11(a)(6). There will be no formal action requested to be taken once Council returns to Open session.

Council entered closed session at 6:45 pm.

Council met in closed session pursuant to NCGS 143-318.11(a)(6) and asked that the town attorney remain present for discussion.

Councilmember Petersen moved to leave the closed session, Councilmember Gray seconded and all voted in favor.

The Council returned to open session at 7:07 pm.

**8. ADJOURNMENT**

Upon motion by Councilmember Petersen, seconded by Councilmember Gray and carried unanimously, Council adjourned at 7:08 pm.

Respectfully submitted:

---

Elizabeth Robertson, Town Clerk



**Southern Pines Police Department**  
**450 W. Pennsylvania Avenue**  
**Southern Pines, NC 28387**

~ A Nationally Accredited Law Enforcement Agency ~

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

Email: [PD@southernpines.net](mailto:PD@southernpines.net)  
[www.southernpines.net/Police](http://www.southernpines.net/Police)

To: Reagan Parsons

From: Nicholas Polidori - Chief of Police

Date: March 5, 2025

Re: **Awarding of Service Weapon and Badge- Sergeant Brian Edwards**

North Carolina General Statue 20-187.2 allows for the awarding of a service firearm and the badge worn or carried by a retiring member of the Southern Pines Police Department. I am requesting that such consideration be made to the Town Council by you to approve Sergeant Brian Edwards be awarded his service firearm (Glock, 9mm, model 45) and his badge of office upon his retirement on May 1, 2025. In the past, the price determined by the Council in accordance with NCGS 20-187.2 was set in the amount of \$1.00.

**§ 20-187.2. Badges and service side arms of deceased or retiring members of State, city and county law-enforcement agencies; weapons of active members.**

(a) Surviving spouses, or in the event such members die unsurvived by a spouse, surviving children of members of North Carolina State, city and county law-enforcement agencies killed in the line of duty or who are members of such agencies at the time of their deaths, and retiring members of such agencies shall receive upon request and at no cost to them, the badge worn or carried by such deceased or retiring member. The governing body of a law-enforcement agency may, in its discretion, also award to a retiring member or surviving relatives as provided herein, upon request, the service side arm of such deceased or retiring members, at a price determined by such governing body, upon determining that the person receiving the weapon is not ineligible to own, possess, or receive a firearm under the provisions of State or federal law, or if the weapon has been rendered incapable of being fired. Governing body shall mean for county and local alcohol beverage control officers, the county or local board of alcoholic control; for all other law-enforcement officers with jurisdiction limited to a municipality or town, the city or town council; for all other law-enforcement officers with countywide jurisdiction, the board of county commissioners; for all State law-enforcement officers, the head of the department.

Thank you for your consideration in this matter.

Xc: Personnel File



~ A Nationally Accredited Law Enforcement Agency ~





**RESOLUTION #1110  
DECLARING THE BADGE AND SERVICE WEAPON CARRIED BY  
SERGEANT BRIAN EDWARDS AS SURPLUS AND AWARDING IT TO  
HIM ON HIS RETIREMENT**

**WHEREAS**, G.S. 20-187.2 provides that the governing body of the municipal law enforcement agency may, in its discretion, award to a retiring member the badge and service sidearm of such retiring members; and

**WHEREAS**, Sergeant Brian Edwards has been a sworn law enforcement officer for 28 years, and has served as a member of the Town of Southern Pines Police Department for a period of 28 years, and will retire from the Town of Southern Pines Police Department on May 1, 2025.

**NOW, THEREFORE BE IT RESOLVED** by the Town Council of the Town of Southern Pines that the badge, “**Police Officer- 882**”, and service weapon, a **9mm Glock, model number 45, serial number CBSM359**, issued to and carried by Sergeant Brian Edwards, be declared surplus and awarded to him on the occasion of his retirement.

**BE IT FURTHER RESOLVED** that appreciation be expressed to Lieutenant Paul Wright for the dedicated service rendered by him during his employment with the Town of Southern Pines.

**Adopted this 8<sup>th</sup> day of April 2025.**

\_\_\_\_\_  
**Taylor G. Clement, Mayor**

I certify that this Resolution was adopted by the Town Council of the Town of Southern Pines at its meeting of April 8, 2025, as shown in the minutes of the Town Council for that date.

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



**RESOLUTION #1111**  
**OPPOSITION TO SENATE BILL 314: AN ACT TO ELIMINATE THE**  
**EXTRATERRITORIAL JURISDICTIONS OF CITIES IN COUNTIES WITH ZONING**  
**REGULATIONS TO PREVENT REGULATORY OVERLAP AND STREAMLINE**  
**LAND USE DECISIONS**

**WHEREAS**, the Town of Southern Pines has a long-standing commitment to responsible land-use planning that protects the character, safety, and quality of life for its residents and the surrounding community; and

**WHEREAS**, Senate Bill 314 – An Act to Eliminate the Extraterritorial Jurisdictions (ETJ) of Cities in Counties with Zoning Regulations to Prevent Regulatory Overlap and Streamline Land Use Decisions has been filed; and

**WHEREAS**, while Senate Bill 314 has not yet been enacted into law, the proposed removal of ETJ authority has raised serious concerns among municipal leaders and residents throughout Moore County; and

**WHEREAS**, the Town of Southern Pines believes that the elimination of ETJ, whether by statewide legislation or local act, would be extremely harmful to the orderly growth, development, and long-term success of our community and others throughout the county; and

**WHEREAS**, ETJ authority allows municipalities to apply land-use planning and zoning standards to adjacent unincorporated areas, protecting both current residents and those in the ETJ from incompatible uses that could damage property values and disrupt community character; and

**WHEREAS**, through this planning authority, municipalities like Southern Pines are better equipped to ensure that infrastructure investments are made wisely, growth is managed sustainably, and the vision of the community is preserved; and

**WHEREAS**, Southern Pines and other towns in Moore County attract residents, businesses, and retirees who invest in our communities with the expectation that thoughtful planning will continue to protect their homes and quality of life; and

**WHEREAS**, removing ETJ authority would strip municipalities of one of their most critical tools for managing growth and could lead to haphazard development regulated only by broad, county-wide standards that may not reflect the unique needs of smaller towns; and

**WHEREAS**, there is no widespread public demand to change the current ETJ framework, which has served Moore County and its municipalities well for decades, and which continues to operate under reasonable limitations already established by state law—including mandatory ETJ representation on municipal boards, restrictions on taxation, and prohibitions on public safety ordinances in ETJ areas; and

**WHEREAS**, decisions that affect land-use and growth in Moore County should be made by those most familiar with local needs—its residents and local elected officials—not by state legislators representing other regions of North Carolina;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Southern Pines that we strongly oppose the proposed elimination of extraterritorial jurisdiction authority in Senate Bill 314 or in any future legislation that seeks to weaken local planning authority; and

**BE IT FURTHER RESOLVED**, that we respectfully urge the North Carolina General Assembly to reject any such efforts and to preserve the current ETJ framework, which empowers municipalities to plan responsibly and protect the integrity of their communities.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.



April 4, 2025

Honorable Mayor and Members of Town Council  
Town of Southern Pines, North Carolina  
125 S.E. Broad Street  
Southern Pines, NC 28388

Attn: Reagan Parsons, Town Manager and Tess Brubaker - Speis, Finance Director

We are pleased to confirm our understanding of the services we are to provide the Town of Southern Pines, North Carolina (the Town) for the year ended June 30, 2025.

#### **Audit Scope and Objectives**

We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the disclosures, which collectively comprise the basic financial statements, of the Town of Southern Pines, North Carolina as of and for the year then ended. These statements will include the budgetary comparison information for the General Fund. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the Town's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the Town's RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis (MD&A).
2. Schedule of the Proportionate Share of the Net Pension Liability (Asset) for the Local Governmental Employees' Retirement System (LGERS).
3. Schedule of Contributions to LGERS.

4. Schedule of Changes in the Total Pension Liability for the Law Enforcement Officers' Special Separation Allowance (LEOSSA).
5. Schedule of Total Pension Liability as a Percentage of Covered Payroll – LEOSSA.

We have also been engaged to report on supplementary information other than RSI that accompanies the Town's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS and will provide an opinion on it in relation to the financial statements as a whole:

1. Schedule of expenditures of federal and state awards.
2. Combining and individual fund statements and schedules.
3. Schedule by Function and Activity – Capital Assets
4. Schedule of Changes by Function and Activity – Capital Assets
5. Schedule of Ad Valorem Taxes Receivable.
6. Schedule of Ad Valorem Taxes Receivable – Municipal Service District #1
7. Analysis of Current Tax Levy – Town-Wide Levy
8. Schedule of Interfund Transfers

In connection with our audit of the basic financial statements, we will read the following other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report:

1. Introductory section
2. Statistical section

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and issue an auditor's report that includes our opinions about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP, and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements.

The objectives also include reporting on -

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts and award agreements, noncompliance with which could have a

material effect on the financial statements in accordance with *Government Auditing Standards*.

- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and the State of North Carolina Single Audit Implementation Act (State Single Audit Act).

### **Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit**

We will conduct our audit in accordance with GAAS; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance and the State Single Audit Act, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance and State Single Audit Act, and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we will exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements or noncompliance may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry.

According to GAAS, significant risks include the risk of management's override of internal controls. Accordingly, we have considered this item as a significant risk. Furthermore, we have identified the following additional risk of material misstatement as part of our audit planning:

We have identified the following significant risk of material misstatement as part of our audit planning:

1. Management's override of internal controls.

Our audit of financial statements does not relieve you of your responsibilities.

#### **Audit Procedures—Internal Control**

We will obtain an understanding of the government and its environment, including internal control relevant to the audit, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance and State Single Audit Act, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance and State Single Audit Act.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However,

during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

### **Audit Procedures—Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Town's compliance with provisions of applicable laws, regulations, contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance and State Single Audit Act requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* and the *Audit Manual for Governmental Auditors in North Carolina* for the types of compliance requirements that could have a direct and material effect on each of the Town's major programs. For federal and/or state programs that are included in the Federal or State Compliance Supplements, our compliance and internal control procedures will relate to the compliance requirements that the Federal or State Compliance Supplement identifies as being subject to audit. The purpose of these procedures will be to express an opinion on the Town's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance and State Single Audit Act.

### **Other Services**

We will also assist in preparing the financial statements, schedule of expenditures of federal and state awards, and related notes of the Town in conformity with U.S. generally accepted accounting principles and the Uniform Guidance and State Single Audit Act based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform these services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal and state awards, and related notes services previously defined. We, in our sole professional judgement, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

### **Responsibilities of Management for the Financial Statements and Single Audit**

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve

compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal and state awards, and all accompanying information in conformity with accounting principles generally accepted in the United States of America; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are also responsible for making drafts of financial statements, schedule of expenditures of federal and state awards, all financial records and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. You are also responsible for coordinating our access to information relevant to the preparation and fair presentation of the financial statements of component units which may include discussions with component unit management and their auditors. At the conclusion of our audit, we will require certain written representations from you about the financial statements; schedule of expenditures of federal and state awards; federal award programs; state award programs; compliance with laws, regulations, contracts, and grant agreements; and related matters.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. You are also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we report. Additionally, as required by the Uniform Guidance and State Single Audit Act, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal and state awards; take prompt action when instances of noncompliance are

identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and to prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review subsequent to the start of fieldwork.

With regard to an exempt offering document with which Mauldin & Jenkins is not involved, you agree to clearly indicate in the exempt offering document that Mauldin & Jenkins is not involved with the contents of such offering document. In the event that Mauldin & Jenkins is requested to be involved with an exempt offering document, you agree that the aforementioned auditor's report or reference to Mauldin & Jenkins will not be included without our prior permission or consent. Furthermore, any agreement to perform work in connection with an exempt offering document, including an agreement to provide permission or consent, will be a separate engagement.

You are responsible for identifying all federal and state awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal and state awards (including notes and noncash assistance received, and COVID-19 related concepts, such as lost revenues, if applicable) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal and state awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal and state awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal and state awards that includes our report thereon or make the audited financial statements readily available to intended users of the schedule of expenditures of federal and state awards no later than the date the schedule of expenditures of federal and state awards is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal and state awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal and state awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal and state awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

You agree to assume all management responsibilities relating to the financial statements, schedule of expenditures of federal and state awards, related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, schedule of expenditures of federal and state awards, and related notes and that you have reviewed and approved the financial statements, schedule of expenditures of federal and state awards, and related notes prior to their issuance and have accepted responsibility for them. You agree to oversee the nonaudit services by designating an individual, preferably from senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

You acknowledge the Town will not utilize Mauldin & Jenkins, LLC to store documents, data, or records on behalf of the Town in accordance with the "Hosting Services" (see ET section 1.295.143) interpretation of the AICPA Code of Professional Conduct. The Town is solely responsible for maintaining its own data and records.

In that regard, SuraLink is used solely as a method of transferring data to Mauldin & Jenkins, LLC and is not intended for the storage of the Town's information. All information you will provide through SuraLink is a copy and you will maintain original documents and data as part of your records.

### **Engagement Administration, Fees, and Other**

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing. We will schedule the engagement based in part on deadlines, working conditions, and the availability of your key personnel. We will plan the engagement based on the assumption that your personnel will cooperate and provide assistance by performing tasks such as preparing requested schedules, retrieving supporting documents, and preparing confirmations. If, for whatever reason, your personnel are unavailable to provide the necessary assistance in a timely manner, it may substantially increase the work we have to do to complete our engagement, resulting in an increase in fees over our original estimate.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal and state awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditors' reports or nine months after the end of the audit period.

We will provide copies of our reports to the Town; however, management is responsible for distribution of the reports and financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Mauldin & Jenkins and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to the North Carolina Local Government Commission or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Mauldin & Jenkins personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by a regulatory body. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party (ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit on approximately May 1, 2025 and to issue our reports no later than December 31, 2025. LeAnn Bagasala is the engagement director and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. Our fee for these services will be \$62,000 for the year ended June 30, 2025. The fee includes the provision for the performance of Single Audit procedures on one major federal or state program. If the composition of the Town's federal and/or state awards require additional programs to be audited as major, our fee will be \$6,000 to \$9,000 for each additional major program. Our hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered as work progresses and are payable upon presentation. A service charge of 1.5% per month (18% annually) will be added onto any balances not paid within 30 days. The above fees are based on anticipated cooperation from your personnel (including complete and timely receipt by us of the information on the respective client participation listings) and the assumption that unexpected circumstances (including scope changes) will not be encountered during the audit. If significant additional time

is necessary, we will discuss it with management and arrive at a new fee estimate before we incur the additional costs.

As a result of our prior or future services to you, we might be requested or required to provide information or documents to you or a third party in a legal, administrative, arbitration, or similar proceeding in which we are not a party. If this occurs, our efforts in complying with such requests will be deemed billable to you as a separate engagement. We shall be entitled to compensation for our time and reasonable reimbursement for our expenses (including legal fees) in complying with the request. For all requests we will observe the confidentiality requirements of our profession and will notify you promptly of the request.

### **Reporting**

We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Town Council for the Town. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs to our auditor's report, or if necessary, withdraw from this engagement. If our opinions on the financial statements or the Single Audit compliance opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue reports, or may withdraw from this engagement.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will state (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will state that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

We appreciate the opportunity to be of service to the Town of Southern Pines, North Carolina and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign below and return it to us.

Sincerely,

MAULDIN & JENKINS, LLC



LeAnn Bagasala

RESPONSE:

This letter correctly sets forth the understanding of the Town of Southern Pines, North Carolina.

By: \_\_\_\_\_

Title: \_\_\_\_\_

The	Governing Board
of	Primary Government Unit
and	Discretely Presented Component Unit (DPCU) (if applicable)

*Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)*

and	Auditor Name
	Auditor Address

*Hereinafter referred to as Auditor*

for	Fiscal Year Ending	Date Audit Will Be Submitted to LGC
-----	--------------------	-------------------------------------

*Must be within six months of FYE*

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business-type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types). The basic financial statements shall include budgetary comparison information in a budgetary comparison statement, rather than as RSI, for the General Fund and any annually budgeted Special Revenue funds.

2. At a minimum, the Auditor shall conduct the audit and render the report in accordance with GAAS. If the Governmental Unit expended \$100,000 or more in combined Federal and State financial assistance during the reporting period, the Auditor shall perform the audit in accordance with *Government Auditing Standards* (GAGAS). The Governmental Unit is subject to federal single audit requirements in accordance with Title 2 US Code of Federal Regulations Part 200 *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards*, Subpart F (*Uniform Guidance*) and the State Single Audit Implementation Act. Currently the threshold is \$750,000 for a federal single audit and \$500,000 for a State Single Audit. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit in accordance with the Uniform Guidance (§200.501) the Auditor and Governmental Unit(s) should discuss, in advance of the execution of this contract, the responsibility for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512) to ensure proper submission.

Effective for audits of fiscal years beginning on or after June 30, 2023, the LGC will allow auditors to consider whether a unit qualifies as a State low-risk auditee. Please refer to "Discussion of Single Audits in North Carolina" on the LGC's website for more information.

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.
4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC Staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.
5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2018 revision, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to *Government Auditing Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC Staff within six months of fiscal year end. If it becomes necessary to amend the audit fee or the date that the audit report will be submitted to the LGC, an amended contract along with a written explanation of the change shall be submitted to the Secretary of the LGC for approval.
7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.

For GAAS or *Government Auditing Standards* audits, if an auditor issues an AU-C §260 report, commonly referred to as "Governance Letter," LGC staff does not require the report to be submitted unless the auditor cites significant findings or issues from the audit, as defined in AU-C §260.12 - .14. This would include issues such as difficulties encountered during the audit, significant or unusual transactions, uncorrected misstatements, matters that are difficult or contentious reviewed with those charged with governance, and other significant matters. If matters identified during the audit were required to be reported as described in AU-C §260.12-.14 and were communicated in a method other than an AU-C §260 letter, the written documentation must be submitted.

8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Approval is also required for the Alternative Compliance Examination Engagement for auditing the Coronavirus State and Local Fiscal Recovery Funds expenditures as allowed by US Treasury. Approval is not required on audit contracts and invoices for system improvements and similar services of a non-auditing nature.
9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. This also includes any progress billings [G.S. 159-34 and 115C-447]. All invoices for audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved' with approval date shall be returned to the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.
10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).
11. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC Staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC Staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.
12. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.
13. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.

14. The Auditor shall submit the report of audit in PDF format to LGC Staff. For audits of units other than hospitals, the audit report should be submitted when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC. These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements and/or the compliance section, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC Staff.

15. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

16. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to hospitals). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC.

17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 30 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

18. Special provisions should be limited. Please list any special provisions in an attachment.

19. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the primary government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.

20. The contract shall be executed, pre-audited (pre-audit requirement does not apply to hospitals), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.

21. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.

22. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

23. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.
24. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.
25. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.
26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.
27. **Applicable to audits with fiscal year ends of June 30, 2020 and later.** For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and *Government Auditing Standards, 2018 Revision* (as applicable). Preparing financial statements in their entirety shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.
- All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.
28. **Applicable to audits with fiscal year ends of June 30, 2021 and later.** The auditor shall present the audited financial statements including any compliance reports to the government unit's governing body or audit committee in an official meeting in open session as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary. The auditor's presentation to the government unit's governing body or audit committee shall include:
- a) the description of each finding, including all material weaknesses and significant deficiencies, as found by the auditor, and any other issues related to the internal controls or fiscal health of the government unit as disclosed in the management letter, the Single Audit or Yellow Book reports, or any other communications from the auditor regarding internal controls as required by current auditing standards set by the Accounting Standards Board or its successor;
  - b) the status of the prior year audit findings;
  - c) the values of Financial Performance Indicators based on information presented in the audited financial statements; and
  - d) notification to the governing body that the governing body shall develop a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters," if required under 20 NCAC 03 .0508.
29. Information based on the audited financial statements shall be submitted to the Secretary for the purpose of identifying Financial Performance Indicators and Financial Performance Indicators of Concern. See 20 NCAC 03 .0502(c)(6).

30. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 17 for clarification).

31. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at <https://www.nctreasurer.com/state-and-local-government-finance-division/local-government-commission/submitting-your-audit>

32. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

33. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.

**FEEES FOR AUDIT SERVICES**

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and *Government Auditing Standards, 2018 Revision*. Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will be not be approved.

Financial statements were prepared by:  Auditor  Governmental Unit  Third Party

If applicable: Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:

**Name:** **Title and Unit / Company:** **Email Address:**

**OR Not Applicable** *(Identification of SKE Individual on the LGC-205 Contract is not applicable for GAAS-only audits or audits with FYEs prior to June 30, 2020.)*

2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.

3. The audit fee information included in the table below for both the Primary Government Fees and the DPCU Fees (if applicable) should be reported as a specific dollar amount of audit fees for the year under this contract. If any language other than an amount is included here, the contract will be returned to the audit form for correction.

4. Prior to the submission of the completed audited financial report and applicable compliance reports subject to this contract, or to an amendment to this contract (if required) the Auditor may submit interim invoices for approval for services rendered under this contract to the Secretary of the LGC, not to exceed 75% of the billings for the unit's last annual audit that was submitted to the Secretary of the LGC. All invoices for services rendered in an audit engagement as defined in 20 NCAC .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).

<b>Primary Government Unit</b>	
Audit Fee (financial and compliance if applicable)	\$
Fee per Major Program (if not included above)	\$
<b>Additional Fees Not Included Above (if applicable):</b>	
Financial Statement Preparation (incl. notes and RSI)	\$
All Other Non-Attest Services	\$
<b>TOTAL AMOUNT NOT TO EXCEED</b>	<b>\$</b>

<b>Discretely Presented Component Unit</b>	
Audit Fee (financial and compliance if applicable)	\$
Fee per Major Program (if not included above)	\$
<b>Additional Fees Not Included Above (if applicable):</b>	
Financial Statement Preparation (incl. notes and RSI)	\$
All Other Non-Attest Services	\$
<b>TOTAL AMOUNT NOT TO EXCEED</b>	<b>\$</b>

**SIGNATURE PAGE**

**AUDIT FIRM**

Audit Firm*	
Authorized Firm Representative (typed or printed)*	Signature* 
Date*	Email Address*

**GOVERNMENTAL UNIT**

Governmental Unit*	
Date Governing Board Approved Audit Contract* <b>(Enter date in box to right)</b>	
Mayor/Chairperson (typed or printed)*	Signature*
Date	Email Address*

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

**GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE**

Required by G.S. 159-28(a1) or G.S. 115C-441(a1). Not applicable to hospital contracts.

*This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.*

Sum Obligated by This Transaction:	\$
Primary Governmental Unit Finance Officer* (typed or printed)	Signature*
Date of Pre-Audit Certificate*	Email Address*

**SIGNATURE PAGE – DPCU  
(complete only if applicable)**

**DISCRETELY PRESENTED COMPONENT UNIT**

DPCU*	
Date DPCU Governing Board Approved Audit Contract* (Enter date in box to right)	
DPCU Chairperson (typed or printed)*	Signature*
Date*	Email Address*

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

**DPCU – PRE-AUDIT CERTIFICATE**

Required by G.S. 159-28(a1) or G.S. 115C-441(a1). Not applicable to hospital contracts.

*This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.*

Sum Obligated by this Transaction:	\$
DPCU Finance Officer (typed or printed)*	Signature*
Date of Pre-Audit Certificate*	Email Address*

Remember to print this form, and obtain all required signatures prior to submission.



**RESOLUTION #1112**  
**RECOGNIZING NATIONAL LIBRARY WEEK (April 6 – 12, 2025)**  
**AND THE SOUTHERN PINES PUBLIC LIBRARY DIRECTOR & STAFF**

**WHEREAS**, libraries spark creativity, fuel imagination, and inspire lifelong learning, offering a space where individuals of all ages can explore new ideas and be drawn to new possibilities; and

**WHEREAS**, libraries serve as vibrant community hubs, connecting people with knowledge, technology, and resources while fostering civic engagement, critical thinking, and lifelong learning; and

**WHEREAS**, libraries provide free and equitable access to books, digital tools, and innovative programming, ensuring that all individuals—regardless of background—have the support they need to learn, connect, and thrive;

**WHEREAS**, libraries partner with schools, businesses, and organizations, adding value through dynamic programming, services, and resources and strengthening the entire community; and

**WHEREAS**, libraries empower job seekers, entrepreneurs, and lifelong learners by providing access to resources, training, and opportunities that support career growth and economic success; and

**WHEREAS**, libraries nurture young minds through storytimes, STEAM programs, and literacy initiatives, fostering curiosity and a love of learning that lasts a lifetime; and

**WHEREAS**, libraries protect the right to read, think, and explore without censorship, standing as champions of intellectual freedom and free expression;

**WHEREAS**, dedicated librarians and library workers provide welcoming spaces that inspire discovery, collaboration, and creativity for all; and

**NOW, THEREFORE BE IT RESOLVED**, the Southern Pines Town Council recognizes National Library Week, which is April 6 – 12, 2025, as a time to celebrate the Southern Pines Public Library and the essential role our Library provides to our community. We encourage all residents to visit our Library, explore the many resources available, and celebrate all the ways that the Library brings us together as a community.

**BE IT FURTHER RESOLVED**, we recognize and thank Southern Pines Public Library director Amanda Brown as well as our library staff for their dedication in fulfilling these important needs; and

**BE IT FURTHER RESOLVED**, we recognize and thank the volunteer members of the **Southern Pines Library Advisory Board** and **Friends of the Southern Pines Public Library** for their essential support and contributions to our Library and the Southern Pines community.

**Adopted this 8<sup>th</sup> day of April 2025.**

---

Taylor G. Clement, Mayor

I certify that this Resolution was adopted by the Town Council of the Town of Southern Pines at its meeting of April 8, 2025, as shown in the minutes of the Town Council for that date.

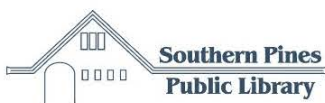
---

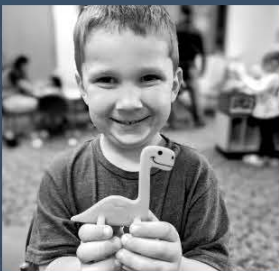
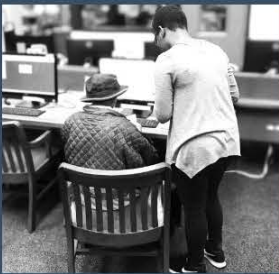
Elizabeth Robertson, Town Clerk



Southern Pines Public Library

# Strategic Plan 2020/2025





In a world that is continually changing our library strives to be a stable institution that provides the residents of our community with tools for success, learning, discovery, and play.

This strategic plan is intended to be used as a dynamic tool to focus the efforts of library staff when making key decisions while remaining responsive and relevant to community needs.




**Southern Pines  
Public Library**

VISION, MISSION, VALUES

**VISION- HOW WE SEE THE FUTURE**



The Southern Pines Public Library empowers all citizens of the community to foster connections and find avenues for discovery.

Start here, go anywhere.

**MISSION- OUR PURPOSE**



We, the Southern Pines Public Library, are dedicated to opening avenues of discovery. Working with and for our community, we add value to the lives of all generations through dynamic programming, services, and resources found within the Library’s physical and digital spaces.

**VALUES- WHAT WE BELIEVE**



- We are committed to:
- Communicating clearly
  - Inspiring all
  - Welcoming the community with compassion
  - Encouraging discovery, delight, and play



## STRATEGIC AREAS OF FOCUS

1

### FOSTER OPEN AND TRANSPARENT COMMUNICATION

As identified in the Library's Values statement, communication is a key component to the success of the Library. External communication ensures that residents and cardholders receive the message of how the Library can enhance their lives, while internal communication improves staff functionality and enhances the patron experience. Effective communication is the backbone of the Library's success during the next 5 years.

2

### ADVANCE TECHNOLOGY LITERACY AND ACCESS

Southern Pines Public Library is committed to the quality of life, growth, and economic prosperity of our community. The Library strives to enhance residents' lives by providing access to spaces, resources, and training in digital literacy, entrepreneurship, workforce development, and adult education to empower our citizens to change their lives and improve their community.

3

### SUPPORT LITERACY AND EDUCATION

Spanning early literacy programming, collaborating with schools to support learning outside of traditional educational boundaries, establishing partnerships for programs that add value to resident's lives, and encouraging an expansive love of reading and knowledge, Southern Pines Public Library seeks to support learning at every stage of life.

4

### DEVELOP VERSATILE, USER-FRIENDLY, AND WELCOMING SPACES

The Library is more than books. Libraries function as one of the last community spaces that are open to anyone. They provide a trusted, welcoming space where people can access information, find support or try something new; the Library is where societal inequalities can begin to be addressed.



## STRATEGIC PRIORITIES FOSTER OPEN AND TRANSPARENT COMMUNICATION

### Strategy

- 1 Develop and implement a plan for cohesive marketing of Library services, programs, and resources.

**The marketing plan for the Library will improve the lives of Southern Pines residents by assessing what their needs are, working to create products and services to fill those needs, and effectively spreading the word back to residents that these products and services exist.**

- Seek public input on impressions of the library and how residents and users receive information. In 2021, the Library will survey library users and Town residents to gather info on marketing trends. Using this data, SPPL will launch a campaign to heighten public Library awareness.
- Assess social media platforms and add additional outlets as needed. Enhance communication with patrons and residents by determining and addressing barriers of usage. Focus on groups that are not easily reached through current social media or digital platforms.
- Create consistent, easily readable and recognizable images and messages to relay information and events to the public. Staff will create a style guide for visual branding, including both print and digital promotions.
- Increase public support for the Friends of the Library and work with SPPL Friends on rebranding to incentivize membership. Goals for the rebranding include enabling members to join and pay online, determining membership incentives, and working with the Friends group on special events.

### Strategy

**2** Assess and revise Library policies, procedures, and staff training to enhance the patron experience.

**Communication between Library staff must be a priority to ensure the best patron experience in the Library. This includes clarity in policies and procedures and establishment of a feedback loop to continually assess their success and relevancy. Staff training when onboarding new employees and continuing education will be a part of this process.**

- By August 2021, review data stored on shared staff drives and remove outdated procedures and documents that confuse staff or prohibit the finding of information quickly and efficiently.
- Conduct a review of internal procedures and policies to check for clarity, consistency, and relevancy. Policies and procedures should be geared toward enhancing resident and patron experiences in the Library, and ensuring the safety of everyone when using the facility in accordance with TOSP Ordinances and policies.
- Create an onboarding program for new hires to decrease initial confusion after hiring time and increase understanding of customer service practices.
- Review staff job descriptions and duties, and align staff energy and focus to new strategic goals. Include the setting of continuing education and training goals into staff reviews each year.



## STRATEGIC PRIORITIES

# Advance Technology Literacy and Access

### Strategy

**1** Provide the community with tutoring sessions and other enrichment training and courses for digital literacy and workplace skills.

**Many residents need help navigating the ever-changing technological world in order to complete tasks such as job applications, classes, taxes, medical assessments, and more. The Library provides a space where residents can gain help with learning technology through classes, one-to-one instruction, and demonstration videos.**

- Design and initiate a technology assessment with residents and community partners to identify basic computer skills and technology training needs.
- Plan and launch online computer and technology tutorials focused on the needs identified by the technology assessment.
- Continue to provide one-on-one tutorial instruction for patrons who need help with eBooks, digital resources, and other basic computer skills. Identify the particular subject areas where tutorials are needed and come up with standards for the sessions.
- Design and implement small group technology training classes focused on areas of interest or basic digital skills needs identified by the community.

# STRATEGIC PRIORITIES

## TECHNOLOGY CONT...

### Strategy

## 2 Provide community access to useful digital resources.

**Access to high-quality reliable information and technological resources is difficult and expensive. The Library seeks to improve patron access to electronic resources that adds value to their lives and increase usage of databases by providing online tutorials and small class instruction.**

- Design and launch an electronic resource assessment with residents and community partners to identify desired learning and recreation opportunities.
- Create instructional content to teach patrons to use electronic and digital resources provided by the library.
- Establish a promotion schedule and implement a marketing campaign to increase overall electronic resource usage by thirty percent.





## STRATEGIC PRIORITIES

# Support Literacy and Education

### Strategy

## 1 Identify and cultivate mutually beneficial partnerships within the community.

**Through balanced partnerships between the Library and government, local business, and non-profit agencies, the Southern Pines Library will bring more resources to residents through library programs and services.**

- Become an integral community partner and resource where local businesses and non-profits can find equal collaboration. Proposed collaborations will be assessed for mutual benefit to each organization, have agreed upon goals, objectives, and deliverables, and will reflect the mission of the Library.
- Seek relevant locations to deliver library services to distinct user groups. Design and implement these off-site library services in direct consultation with community members.
- Identify constructive school partnerships to create a network of support for Southern Pines students, parents, and caregivers through in-school and out-of-school learning opportunities, resources, and services.

## Strategy

### 2 Offer self-directed learning opportunities for all ages.

**Residents of all ages will find learning opportunities at the library and at home through library programs, resources, and services.**

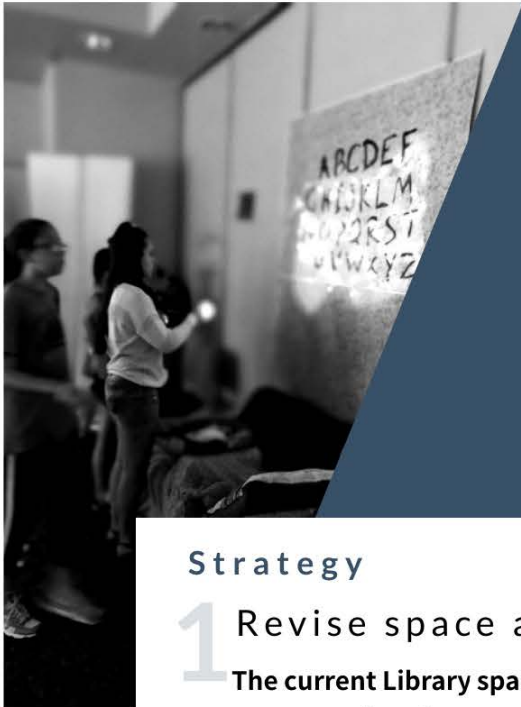
- Life-long readers read for pleasure as well as learning. The Library will continue to collect resources to enhance a love of reading. Collection assessments including patron surveys and direct conversations will inform updates and changes to the collection within the next five years for both pleasure reading and learning opportunities.
- Provide hands-on learning opportunities where new skills can be learned and introduced by holding early childhood and school age explorations, adult learning classes, and teen programs.

## Strategy

### 3 Expand and strengthen support for early literacy.

**Library programs focus on all stages of early child development, from babies to toddlers and on to preschool. These programs seek to inform and empower parents and caregivers of young children with the concepts and tools needed to guide children into becoming expansive learners.**

- Foster early literacy skills and school readiness through interactive programming for parents and caregivers in multiple formats and venues.
- The Library will continue to collaborate with early childhood focused agencies and participate in local literacy advocacy groups in order to advance the culture of literacy in Southern Pines as well as to receive and disseminate information on current initiatives to patrons.



## STRATEGIC PRIORITIES

# Develop Versatile, User-Friendly, and Welcoming Spaces

### Strategy

- 1** Revise space allocation to meet a variety of needs.  
**The current Library space is beautiful and well-designed, but the layout and space usage needs to be assessed and updated from its construction 25 years ago.**

- Complete patron and staff surveys to assess space requirements. Reevaluate what is essential and what is outdated; determine what needs to be added to best serve the needs of the community.
- Create a 3 year plan to redesign interior and exterior space, divided into areas that require no financial support( ex. removing, moving items) and those which require additional financial resources. One area of this plan should focus specifically on reviewing existing adult reading and reference spaces to determine how best to reallocate spaces for collaboration, study, and discovery.

### Strategy

- 2** Develop a plan to keep the library safe, clean, and inviting.

**Clean and welcoming spaces help the patrons utilizing the library know that they are in a place where they can safely find the resources they need to navigate the current world.**

- To keep the Library up to date and relevant in its spaces, Library staff will conduct a yearly assessment to review the spaces for usefulness, usability, and desirability.
- Quarterly, Library staff will assess the cleanliness and review signage and displays to make sure all spaces are clean and relevant.
- Create useful outdoor areas that extend library services and spaces. Focus will be designed to enhance and support learning, collaboration, and programming.

## Strategy

### 3 Make building accessibility a priority.

**Some Library users, including those with small children or with a physical disability, have trouble navigating library spaces. Accessibility guidelines have changed over the 25 years since the building was constructed, and attention needs to be given to these details in order to make the Library's space usable by all.**

- Professionally assess and refit Library access points and building to accommodate ADA requirements so that patrons and staff have equal access to Library spaces.



# OUTCOMES



*Knowledge.  
More informed  
citizens.*

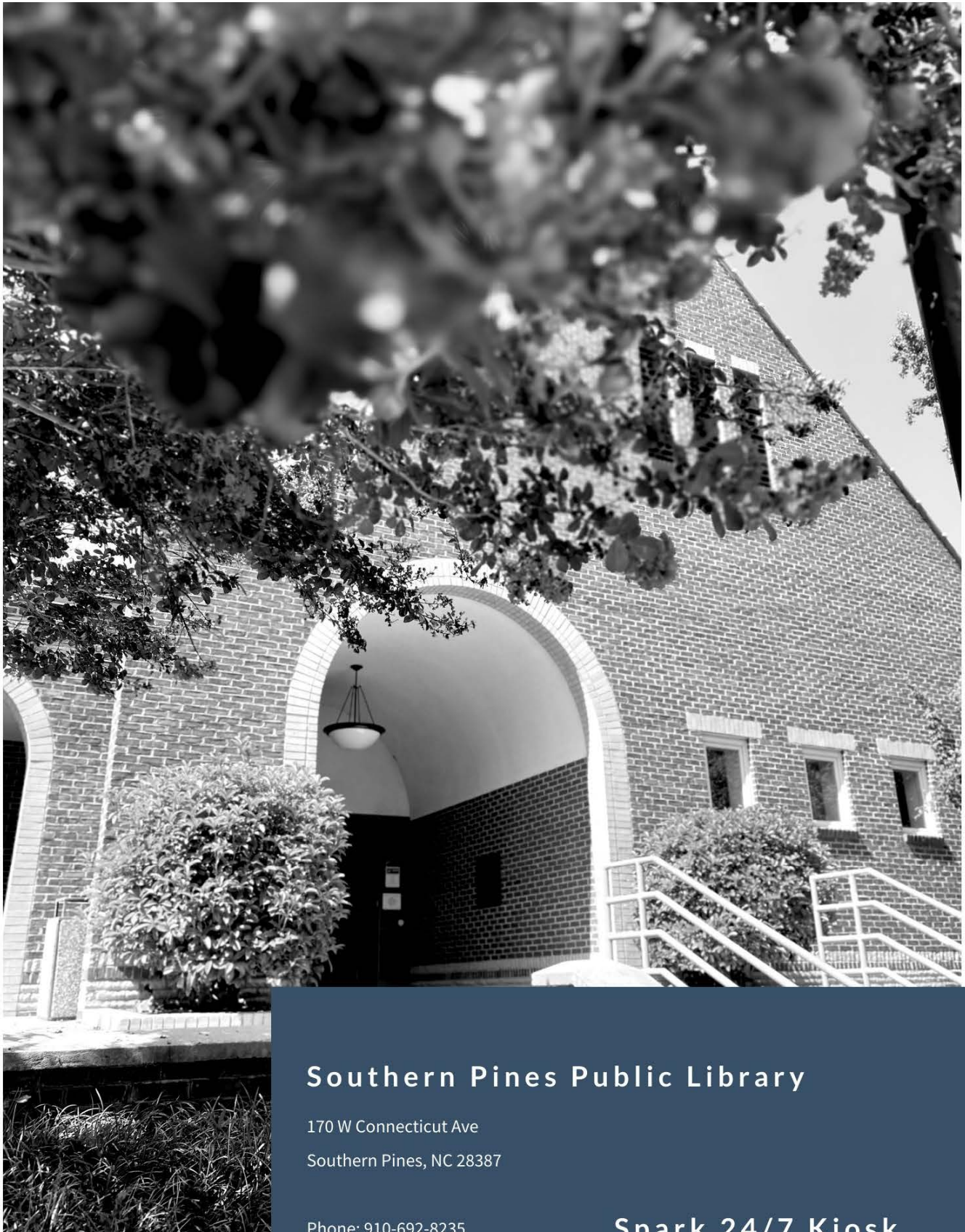


*Confidence.  
Lives are changed.*



*Success.  
A Town where  
individuals reach  
their potential.*





## Southern Pines Public Library

170 W Connecticut Ave  
Southern Pines, NC 28387

Phone: 910-692-8235  
Fax: 910-695-1037  
email: [lib@sppl.net](mailto:lib@sppl.net)  
[www.sppl.net](http://www.sppl.net)

## Spark 24/7 Kiosk

7850 NC 22 Hwy  
Carthage, NC 28327



Southern Pines Public Library

# Service Highlights

Feb.  
2025

## A Worthy Paws Spotlights Rescue Community



On Saturday, February 22, representatives from four different organizations came together for A Worthy Paws: Inside the World of Animal Rescue. They shared information about their efforts to promote animal welfare in Moore County and beyond. Panelists included:

- Diana – Feline Friends of Moore County
- Amber & Rebecca – Second Chance Animal Ranch and Rescue
- Angela – Moore County Citizens' Pet Responsibility Committee
- Sarah & Fontana– RADAR Rescue

They shared ways for the community to get involved through volunteering and donating to support their work. Thank you to all who attended!

## SPPL Signs of Spring

While February may have brought some snow, ice, and wintry cold temperatures, spring preparations began here at the Southern Pines Public Library. On February 16, the library held a Seed Swap.

Attendees were invited to bring their own seeds to share, while SPPL provided packets from our seed library. Local farmer and friend of the library, Shawna Fink, coordinated seed donations as well. Soon, these seeds will be sprouting up and enhancing our community.

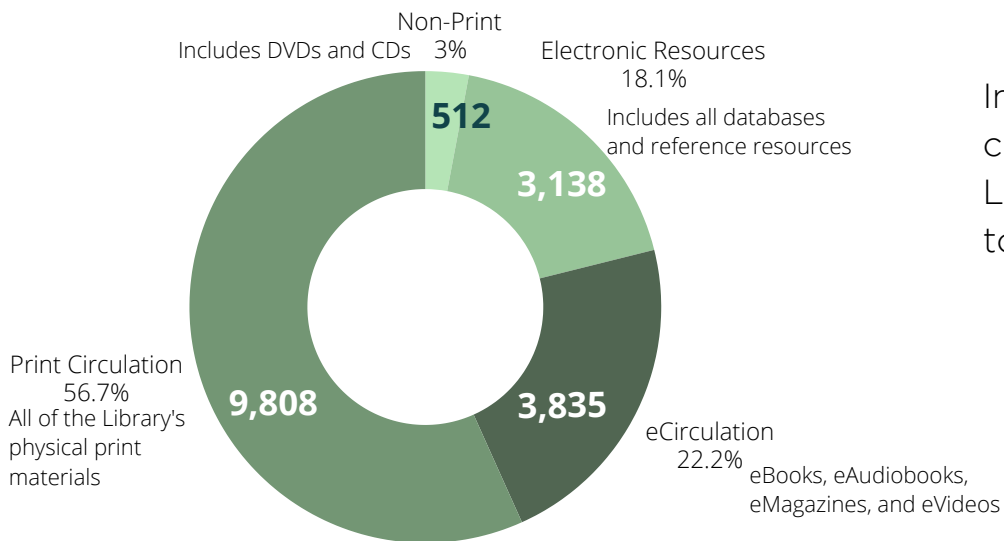


Continuing with the spring theme, STEAM Sunday on February 23 featured an introduction to the humble honeybee. Dennis Brown, president of the Moore County Beekeeper's Association, gave a short presentation and showed kids grades K-5 his beekeeping gear. They even got to sample lollipops made of manuka honey!



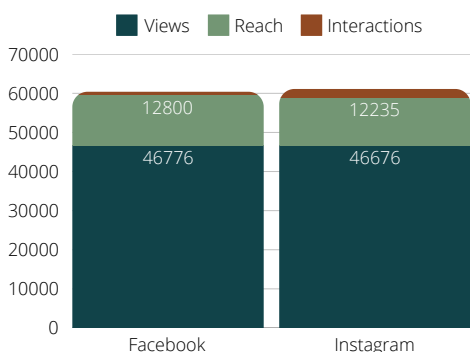
# Library Usage Report

## Usage of materials



In February 2025, patrons checked out or accessed 17,293 Library resources as compared to 17,473 in February 2024.

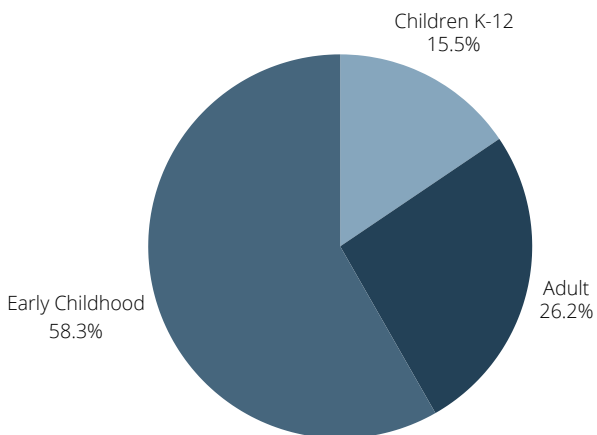
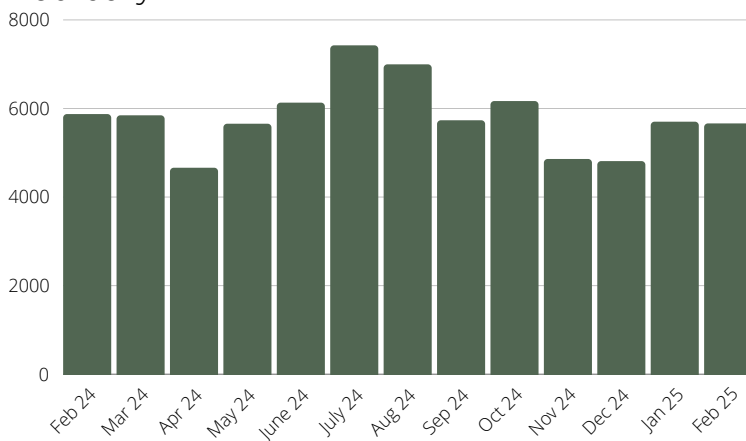
## Focus On: Social Media



The library continues to grow the social media audience, with staff members contributing special reels and posts and reaching thousands of people a month. This reach promotes library services and programs to residents, helping them maximize their use of the library.

## Library Attendance

Library attendance by month does vary throughout the year, with the summer months typically being the ones with the highest attendance. This February, the library welcomed 5,663 people into the library. The library was also closed for winter weather in February.



## Programs

Library staff welcomed a total of 920 attendees at 57 programs or events in February 2025. Programs for adults included book clubs, AOS Support Group, technology appointments, AARP Tax Help, Book Chat and Chill, Seed Swap, Art Programs, an Animal Rescue Panel, and the Writing Group. Children's programming included storytimes, learn and play sessions, outreach to local child care centers, STEAM, ATLAS, Homeschool Hangout, and drop-in craft days.



**Current Board Members: Friends of the SPPL**

Sarah Frazer  
Linda Hamel  
Emily Jones  
Jenn Kissinger  
Maria Lee  
Sarah McClamroch  
Amy Ochoa  
Jessica Roth  
Nicola Squires  
Miranda Weber  
Frances Wilson

**Current Board Members: Library Advisory Board**

Amanda Brown  
Shawna Fink  
Carrie Dugas  
Kim Shoenfelder  
JoAnn Gillis  
Kelly Ficker  
Jackie Covington

## **Agenda Item**

**To:** Town Council

**Via:** BJ Grieve, Planning Director

**From:** Alaina Mallette, Senior Planner

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

**Date:** April 8, 2025

---

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

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 conditions to allow the development of 11 residential structures—either single-family detached units or duplexes not to total more than 11 dwellings/residences in total—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.

### **II. PLANNING BOARD REVIEW**

A public hearing was scheduled for January 23, 2025. Prior to the hearing, it was brought to planning staff's attention that public notices had not been mailed to some adjoining landowners. The planning department took responsibility for this mistake and postponed the hearing to February 20, 2025 to allow time to re-send notices. On February 20, 2025, the Planning Board convened and held a public hearing. The public hearing was opened and concluded on the same day. Planning staff presented a brief description of the subject parcel, additional materials submitted by the legal counsel for adjacent property owners, and staff's recommendation of approval with applicant's proposed conditions and four additional considerations. Following staff's comments, Trey Kramer, agent for the Applicant, made a presentation to the Planning Board, providing an overview of the proposal.

Eight members of the public, the Applicant (i.e., Ryan Paschal on behalf of Fifteen Pinecones, LLC), and additional authorized agent (i.e., Jeremy Sparrow) also spoke during the hearing. One letter was submitted into the record, as well. The members of the public who spoke brought up concerns regarding traffic and vehicle stacking impacts, environmental impacts, architectural character, poor conditions of the existing access, implications of trash collection, erosion control, higher density than existing conditional zoning, impact on property values, and potential conflicts with existing covenants, conditions, and restrictions ("CCRs"). The Planning Board asked the Applicants questions regarding these concerns.

The Applicant discussed their vision for the architecture. He stated that a new homeowners association would be created for the common area of the new section of the development. The applicant also addressed his perceived compliance with the existing CCRs. He agreed to add two additional conditions, provide a phasing plan, and to share a letter from his attorney regarding access to the developing properties via the existing access to the developed properties.

After closing the public hearing, the board discussed the public's concerns and Applicant's comments. A motion was made that after reviewing the request and considering the criteria for approval (i.e., UDO §2.17.9), the proposed conditional zoning district is consistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment 1 of staff report Z-07-24 as modified during Board discussion and therefore, to recommend approval of Z-07-24 to the Town Council with two additional conditions and seven considerations. The motion carried by a vote of 7-0. The Applicant consented in the hearing to the additional conditions, which are as follows:

1. The homes shall remain low-profile and shall be permitted to have a maximum of 1.5 stories, which may include design elements advantageous to the sloping topography such as a walk-out basement.
2. The homes shall have heated square footage between 1,500 and 2,200 square feet per dwelling unit (i.e., residence).

The Board listed seven additional concerns that it believed were not adequately addressed by the Applicant, which are as follows:

1. Soil erosion and drainage concerns;
2. Concerns about trash pick-up area (e.g., the integrity of the access driveway if a dump truck comes onto the private road and the placement of many additional rolling bins and recycling bins along E. Indiana Avenue);
3. Access using an easement through the existing entrance, as the existing entrance is sub-standard and prone to damage;
4. The Applicant claimed that the proposed development is likely to be phased, but there was no phasing plan submitted for Planning Board's review;
5. Stormwater drainage and potential for standing water to create an environment for pests, like mosquitos;
6. Stacking concerns within the proposed Huntcliff development, and turning left out of the entrance onto E. Indiana Avenue, especially during peak traffic hours; and
7. Architectural design, as proposed, seems inconsistent with existing Huntcliff condos, the Sandhurst community, and the Hamlets character district.

### **III. TOWN COUNCIL REVIEW**

On March 11, 2025 the Town Council opened a public hearing on the proposed Conditional Zoning District. Planning staff gave a presentation summarizing the proposed development and the conditions that were proposed by the applicant to mitigate foreseeable impacts resulting from the rezoning. Six members of the public spoke during public comment, raising a variety of concerns that were carefully noted by the applicant and the Town Council. The applicant made a presentation and addressed how they may be able to modify some design elements to address some concerns of those who spoke. Additional public

comments were heard by the Town Council. After hearing from those wishing to speak and the applicant, the Town Council discussed some concerns and asked the applicant to work with planning staff to resolve the issues and present reasonable compromise solutions at the April 8, 2025 meeting. A motion was made by Bill Pate and seconded by Debra Gray to continue the public hearing to April 8, 2025. The motion passed 4-0.

Following the March 11, 2025 meeting, planning staff had a follow-up discussion with Councilwoman Gray to clarify her concern regarding wildlife. Afterwards, planning staff talked with the applicants Jeremy Sparrow and Ryan Paschal and followed with an email containing a list of issues to consider resolving and a deadline for submittal of any revised and/or additional application materials. The list of issues provided to the applicant was as follows:

1. Providing more detail regarding architecture of proposed residential structures in order to ensure compatibility with six existing homes in the original Huntcliff development.
2. In order to help mitigate impacts to wildlife as well as the “Hamlet” character district, enhancing the design of vegetative buffering and providing more detail in the proposed zoning about that enhanced design. Examples include increasing width when possible, adding trees where large gaps exist, etc. The goal being to demonstrate a genuine effort to mitigate the visual impact of the new development to adjoining landowners and passersby on Indiana without using an inordinate amount of developable land.
3. Update phasing plan with details regarding access during construction.

On March 28, 2025 Jeremy Sparrow submitted revised application materials to planning staff to address the list of issues. Mr. Sparrow provided an updated narrative with four additional voluntary conditions to address buffers and architecture as well as an updated site plan showing the locations and treatment of various buffers. Mr. Sparrow also provided a modified phasing plan showing the location of construction access during the development of Phases 1 and 2 to avoid use of the existing driveway.

The revised application materials submitted for the April 8, 2025 hearing are attached to this report. Other application materials that have not changed since the March 11, 2025 public hearing are linked within this report to the original packet from that meeting. The staff report below has been updated in light of revised application materials, and is current as of the April 8, 2025 hearing.

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

<b>A. Physical Addresses</b>	<b>B. Property Owner</b>	<b>C. Applicant</b>
1624 E. Indiana Avenue (PARIDs 00052524 & 00052523)	Brittany Paschal Ryan Paschal Fifteen Pinecones, LLC 330 Mile Away Ln Southern Pines NC 28387	Jeremy Sparrow Longitude Planning Group, PLLC 132 NW Broad Street, Suite C Southern Pines, NC 28387- 4801

#### **D. Existing Zoning**

Proposed development on the subject property currently includes two separate parcels, which have separate zoning. Parcel 00052524 is presently zoned RS-2 and Parcel 00052523 is presently zoned RS-1CD, as entitled under CU-03-11 and Z-02-11. However, as of June 27, 2011, the rezoning applicant (i.e., Dabbs Brothers, LLC) submitted a conceptual site plan that labeled Parcel 00052524 as “1.2 ACRES SANDHURST PARK DONATION.” An August 1, 2011, updated conceptual site plan also shows “1.2 ACRES SANDHURST PARK DONATION.” A handwritten and signed letter dated September 13, 2011, was submitted to the Town, in which the Applicant at the time wrote “Wish to amend application. Include Parcel 00052524 in CUP request. Donate to park.” This was received, to the best of staff’s knowledge, during the hearing for CU-03-11 in which the Town Council moved to approve the amended CU-03-11 with the condition that there be a 10’ landscape buffer along the rear of Parcel 00052523. In summary, the Applicant did not appear to have amended their rezoning application Z-02-11, which explains why it is still shown as “RS-2” on the official zoning map. However, the conditional use application was approved as amended to include Parcel 00052524.

Under the current 2011 conditional zoning, a maximum of 8 new homes would be permitted on Parcel 00052523. The maximum number of dwelling units for Parcel 00052524 is a bit more complex as it is currently zoned RS-2, but is included as a condition of approval for the conditional use permit on LRK 00052523. In the zoning record, it appears that both parcels are linked albeit through confusing zoning entitlement processes that date back 13 years. The effect of the conditional use permit plus a rezoning, is essentially the Town’s modern conditional zoning district process, which is now one process rather than two. Therefore, the maximum number of dwelling units for Parcel 00052524 would either be 0 dwelling units—if consistent with the recorded conditional use permit for CU-03-11 that was reviewed concurrently (but in two separate hearings) with the rezoning application Z-02-11—or 2 dwelling units per RS-2 zoning lot size standards, but no final determination has currently been made on maximum number of dwelling units permitted.

Lastly, a percentage of the Parcel 00052523 is located within the Little River Watershed but no development requiring a Watershed Protection Permit is located within the Watershed.

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

*General Framework Map Designation: Area to Enhance.* These areas include established residential neighborhoods that are now stable, but should consider small-to-medium improvements. Any proposed changes to properties should be sensitive to the uses, densities, location, character, and views from surrounding homes and neighborhoods.

*Conservation and Development Map Designation: Neighborhood.* New development should provide different home types on different lot sizes that vary enough to provide a range of home choices in the same neighborhood (e.g., mix home types, lot sizes, or home sizes). New development should consider “missing middle” home choices—such

as duplex, triplex, quadplex, or cottage courts—to create more variety in terms of size and scale of buildings. New neighborhoods should also include a comprehensive and connected network of open space throughout the site. The “Map Category Crosswalk” is shown on 2040 Comprehensive Plan pages 62 to 63.

*Character District Map Designation: The Hamlets.* The Hamlets character district is intended to reinforce feelings of living in a forest (e.g., narrow streets, large front yard setbacks with dense tree plantings, forested lots, and low-profile homes).

**Figure 1. Vicinity Zoning Map with Subject Parcels Outlined in Yellow**



## **F. Applicant’s Proposed Zoning District and Conditions**

The ultimate development is intended to be a common interest community with shared common areas owned by a homeowners association. The applicant has chosen to rezone the properties to Residential Multifamily districting (i.e., RM-2) based on density estimates using minimum lot size per dwelling unit rather than minimum lot size requirements under the Residential Single-Family zoning districts. RM-2 is considered the Town’s low-density residential option in the RM districting. Despite the request to rezone to RM-2, the Applicant’s proposed first condition states that only single-family detached (LBCS 1111) and two-family dwellings (i.e., double/duplex; LBCS 1120) will be permitted.

The Applicant is proposing 11 buildings, which can be either single-family detached or duplexes. The Applicant has yet to determine which, if any, of the 11 dwelling units will be separated or attached, regardless the Applicant is proposing a maximum of 11 dwelling units. See attached narrative (Attachment 3) for proposed 29 conditions, four of which were added to address issues following the March 11, 2025 public hearing. See also attached preliminary site plan (Attachment 4) for more details. The descriptions and conditions will apply to both parcels (i.e., the entire project) as indicated in the Conditional Zoning District application.

## V. STAFF REVIEW

### 1. Application Review Dates

Pre-Application Meeting: **January 9, 2024**  
Application Submitted: **December 9, 2024**  
Application Complete: **December 16, 2024**  
Updated Site Layout Submitted: **January 14, 2025**  
Added Authorized Agent: **January 16, 2025**  
Updated Narrative: **February 11, 2025**  
Updated Narrative and Letter Submitted: **March 3, 2025**  
Planning Board Public Hearing Notice  
Publication: **January 8, 2025** and **January 15, 2025**  
Mail: **January 6, 2025** (partial list)  
Signage: **January 10, 2025**  
Internet: **January 2, 2025**  
Planning Board Agenda Meeting: **January 16, 2025**  
Planning Board Regular Meeting: **January 23, 2025** (continued due to lack of a quorum)  
Planning Board Regular Meeting: **February 20, 2025**  
Publication: **February 5, 2025** and **February 12, 2025**  
Mail: **February 3, 2025** (complete list)  
Town Council Public Hearing Notice  
Publication: **February 26, 2025** and **March 5, 2025**  
Mail: **February 24, 2025**  
Signage: **January 10, 2025**  
Internet: **February 21, 2025**  
Town Council Regular Meeting: **March 11, 2025 (continued)**  
Town Council Regular Meeting: **April 8, 2025**

### 2. Staff Consistency Evaluation Based on Criteria for the Rezoning of Subject Parcel for Zoning Map Amendment Review per UDO § 2.17.9<sup>1</sup>

(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” above for more information. Generally speaking, this area of E. Indiana Avenue, as a Neighborhood area to be enhanced, is anticipated to provide different home types (i.e., missing middle housing) on different lot sizes that also include connected network of open space sensitive to the uses, densities, location, character, and views from surrounding homes and neighborhoods. The proposed conditional zoning district would only allow single-

---

<sup>1</sup> 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.

family detached dwellings (LBCS 1111)—similar to what is in the surrounding area—and two-family duplexes (LBCS 1120) at a density greater than the surrounding area. The Hamlets character district does not envision duplexes in the Residential Building Type Matrix, but Planning staff believe that if the units are designed in the character of the existing Huntcliff community rather than as proposed in the Applicant’s Planning Board presentation (see Attachment 6), then they may blend well with existing buildings.

The Applicant has proposed conditions following the March 11, 2025 public hearing that will govern the size of individual units, the height of units, and the design of exteriors of the units. These conditions are stated in the applicant’s narrative. The applicant’s condition regarding the design of exteriors is based on the prevailing architectural themes of the existing residential units, and photographs of examples are also in the narrative.

Following the March 11, 2025 public hearing, the applicant has proposed three conditions of approval with three types of buffer treatments around the edge of the parcels, which is both consistent with and more restrictive than the 2011 rezoning and conditional use condition requiring a 10-foot buffer between PARID 00052523 and rear properties. The revised site plan depicts the location of each of the three buffer types. The Applicant is also proposing a trail connection to Sandhurst Park, which is consistent with the area’s vision to have interconnected usable open space. Details for the trail will be discussed during site plan review with the Technical Review Committee. Furthermore, the properties are within the Hamlets character district, which is intended to reinforce feelings of living in a forest (e.g., narrow streets, large front yard setbacks with dense tree plantings, forested lots, and low-profile homes).

In summary, the proposed conditional zoning district is generally consistent with the 2040 Comprehensive Plan’s vision of adding a mixture of housing densities and protecting some of the existing trees on the site.

*(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 forested nature of the Hamlets is central to its character. Retention of existing vegetative buffers combined with planting within buffer areas is an element that helps maintain that character. Protecting mature trees and planting new ones is a way to help ensure that the site keeps the same forested character. However, Planning staff recognize that the site’s southern end has a 11% drop in grade (approx. 30-foot drop over 270 feet), which may require clearing and grading that

remove existing trees. Following the March 11, 2025 public hearing, the applicant has proposed three additional conditions of approval with three types of buffer treatments around the edge of the parcels. The three buffers vary from 20' existing vegetation buffers to 10' planted buffers. This is a significant enhancement of the originally-submitted site design that will help retain some of the feeling of living in a forest after the site is developed and buffers mature. Therefore, Planning staff do not find negative impacts, especially considering the Applicant's proposed conditions and the preliminary site plan and its notes and labels.

*(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.*

The site currently is zoned as a conditional zoning district under Z-02-11 and CU-03-11, which permitted 8 units on the southern parcel and set aside the northern parcel (approx. 1.2 acres) as a donation to the Sandhurst Park. No development has occurred on the properties since the 2011 approval. As of June 2021, the site is under new ownership, which warranted the Applicant's need for this rezoning request and Town review. Considering this context, Planning staff believe that the site is neither suitable nor unsuitable as currently zoned.

*(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 three main health, safety, or welfare concerns that have been identified by Planning staff at this time, based on the application materials, public hearing, and routine analysis of the subject parcels and surrounding areas, are as follows.

1. **Non-Standard Road Proposal and Access.** Town engineering staff have stated that the Applicant is proposing modified road standards, and noted the proposed condition to allow the roads to meet the 1980 standards. Considering that it is a private drive that serves only those proposed dwellings, they did not have major concerns. Per Town Engineer James Michel's comments, the Applicant provided a street cross-section of what it meant by "1980 standards," which is shown as a road detail on their updated site plan (see Attachment 4).

The road detail shows 20-foot to 24-foot road width with swales, on-street parking, and sidewalks. There would be no curb or gutter improvements, and the proposed substrates and surface materials and their depths were not provided. The Applicant's two road conditions were modified following the March 11, 2025 public hearing and now state that "proposed roads and

existing roads used to access new development will meet fire apparatus requirements...” The goal of having this information is establishing a clear expectation for internal road design for both proposed and existing roads used to access the site. Furthermore the applicant’s revised phasing plan shows a location for construction access that will keep heavy vehicles off the existing Huntcliff driveway during construction.

The Fire Department stated that a fire truck turning template should be shown on the plan to confirm that there is sufficient turnaround on the northern section where the proposed three units abut the existing Huntcliff development. The fire truck turning template and a geotechnical report would be required during site plan review to determine if improvements need to be made.

**Figure 2. Access Point to Existing Huntcliff Development to be Used by Proposed Dwellings’ Occupants**



- 2. Trash Collection.** Currently, the existing six Huntcliff residences place their trash and recycling cans on the curb of East Indiana Avenue (see Figure 2) as they have requested that a dump truck not enter the private road, which would create further wear and tear on the existing road. Regardless of the outcome on this conditional zoning application, the Town would still continue to collect trash from the existing six residences on the East Indiana Avenue, as requested by those residents.

Regarding the proposed 11 residences, the Town’s Code of Ordinances §96.016 Garbage Receptacles Required letter (D) requires that any new (i.e., post 1998) condominium complex shall provide a dumpster for garbage collection, which must be serviced privately. The Applicant proposed a condition to create a dumpster area for the “entire tract” that is screened with a brick veneer wall. The dumpster will be made accessible to the residents of Huntcliff.

3. **Phasing Plan.** In the Planning Board public hearing, the Applicant stated that the development will likely be phased with the northern parcel developing three dwellings and requesting certificates of occupancy first followed by the southern parcel's eight dwellings. Planning staff informed the Applicant that a Phasing Plan, per UDO §2.9, must be approved by the Town Council. Planning staff received a phasing plan from the Applicant prior to the March 11, 2025 public hearing. That plan was modified following the March 11, 2025 public hearing to address concerns raised at the hearing, and the revised plan is attached to this report. Fire Marshal Ken Skipper stated that required improvements, if any, to the access drive would need to be in Phase 1 as well as proper fire truck turnaround areas.

*(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.*

Regarding parking demand, the parking standard for one- and two-family dwellings, as would be permitted, is 2 parking spaces per dwelling unit. Considering the proposed 11 buildings—which could be either one-family, two-family, or a mixture—the minimum parking requirement would be 22 parking spaces. 24 spaces are being proposed, which does trigger parking lot shading requirements.

Parking within the Hamlets is envisioned to be driveway access rather than a private lot. However, the housing density, site design, and home design—especially the inclusion or exclusion of a garage—are all factors to consider when determine appropriateness of proposed parking. All parking spaces are internal to the site with the buildings facing the property lines. Therefore, Planning believe that the proposed parking is respectful of existing development types, patterns, and intensities.

*(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 two parcels, totaling approx. 4.2 acres. The parcels are separated by an access drive to the existing Huntcliff Phase I development. The Applicant intends to use that existing drive for access to Phase II; however, the UDO has specific requirements for that process in section 4.11.3. Historically, Planning staff have interpreted—and a previous Town Council has reaffirmed—that a private easement cannot be used to access lots zoned RS-2 due to its exclusion in the list under UDO section 4.11.3(C)(2).

However, in this case, the private easement is serving a proposed RM zoning district, so no inconsistency has been found in this instance. Furthermore, the Applicant has added language to the site access condition to clarify that Planning staff will enforce UDO section 4.11.3 easement requirements during site plan review. Lastly, other than parcels being disconnected, the size of the tract is suitable for the proposed development.

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

If the final intent is to convey parcels of land with each of the units, as was done with Huntcliff Phase I, then a major subdivision preliminary plat and application will be required for a quasi-judicial review. AS of March 17, 2025 the Applicant is unsure of the final locations of the buildings, and would apply when locations have been finalized. However, if the intent is to declare unit ownership (i.e. create condominiums), then—pursuant to North Carolina General Statute 47C the North Carolina Condominium Act—a Declaration of Unit Ownership would be created that does not trigger the subdivision of land.

If the units are not declared as condominiums nor their footprints conveyed and are instead rented as a pool of up to 11 rental units, then Planning considers the development multifamily, which would also not trigger the subdivision of land. However, multifamily development (LBCS 1151) is not included in the list of permitted land uses in the Applicant’s conditions. The Applicant expressed to staff the intent for the single-family detached dwellings and duplexes to be either conveyed or declared as condominiums.

Copies of the existing covenants, conditions, and restrictions (“CCRs”) were submitted to Town staff by legal counsel for adjacent property owners. It should first be noted that the CCRs are not enforced by the Town of Southern Pines, rather the Huntcliff Homeowners Association (“Huntcliff HOA”). For reference, Planning staff have attached the May 1982 (i.e., most recent) CCRs in Attachment 6, but the legal counsel has shared other sets of lot restrictions that they believe apply to the subject parcels. Planning staff does not have reason to believe otherwise.

Generally, the CCRs limit size of dwellings, subdivision, use restrictions for properties brought within the jurisdiction of the Huntcliff HOA, among other things. The CCRs’ Section 4 of Article XIII speaks to the annexation of additional residential properties into the Huntcliff HOA. However, the Applicant stated in the Planning Board public hearing that the new properties would create a new HOA with new CCRs. Legal counsel for the Applicant also stated in a letter submitted to the Town by the authorized agent that “access to Huntcliff is equally available to all record owners of platted Huntcliff real property and is non-exclusive.” Although we do not enforce these CCRs, they do factor into the feasibility of the development.

Lastly, it should also be noted that the northern parcel is adjacent to the Town's Sandhurst Park, which was originally approved to be donated to the Town of Southern Pines as part of the rezoning and conditional use permit concurrent reviews.

*(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, Applicant representations may be taken into consideration while reviewing and making final recommendations and decisions.

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

A request for comments was emailed to agencies on January 2, 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). RLUAC responded with "no comment." The NCDOT responded by saying that "This development has an existing driveway connection on E Indiana Ave. The additional dwellings do not warrant turn lanes. Intersection Sight Distance may need to be improved with some clearing and grading along the line of sight." Any additional improvements to sight distance triangles will be reviewed and required during site plan review.

The application was discussed with members of the Technical Review Committee on December 17, 2024. Planning staff have had subsequent one-on-one conversations with Engineering and Public Works staff. All comments have been reflected in section III.2 of this staff report. The development, if approved, would go before the Technical Review Committee again for site plan review. Any additional agency or public comment received prior to the public hearing will be shared during staff's presentation.

#### 4. Staff Recommendation<sup>2</sup>

Planning staff recommend that the hearing bodies approve the rezoning with the 29 conditions on the Residential Multi-Family (RM-2) Conditional Zoning District as submitted on March 28, 2025, and as attached to this staff report. Planning staff believe that the applicant has addressed through the use of voluntary conditions the concerns initially raised by staff, the Planning Board and the public.

## VI. ATTACHMENTS<sup>3</sup>

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

1. [Draft Planning Board Resolution to Adopt a Written Recommendation](#); (linked from
2. [Zoning Map Amendment \(Conditional Zoning District\) Application](#);
3. **Narrative and Conditions Proposed by Applicant (revised following March 11, 2025 public hearing)**;
4. **Preliminary Site Plan (revised following March 11, 2025 public hearing)**;
5. [Historic Entitlements of the Huntcliff Property \(1980 & 2011\), Including Plats](#); and
6. [Proposed Architectural Character Images from Applicant's Planning Board Presentation, Letter from Applicant's Lawyer, and 1982 Covenants, Conditions, and Restrictions on the Subject Property](#).
7. **Revised Phasing Plan (revised following March 11, 2025 public hearing)**.

*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.*

---

<sup>2</sup> 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).

<sup>3</sup> 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

**VII. TOWN COUNCIL ACTION<sup>4</sup>**

To assist the Town Council in performing this task, Town staff have prepared the following draft motions for consideration, possible modification as necessary, and adoption.

\* \* \*

**I move that after reviewing the proposed Conditional Zoning District and after considering the criteria for approval of zoning map amendments found in UDO §2.17.9 and after considering the applicant’s list of voluntary conditions:**

1. **The proposed amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest, and consistent with the 2040 Comprehensive Plan for reasons set forth in the April 8, 2025 updated staff report and contained in the Planning Board recommendation.**

-OR-

2. The requested rezoning is inconsistent with the 2040 Comprehensive Plan and is not a reasonable request for the following reasons:
  - a.

**And, therefore, I move to<sup>5</sup>:**

1. Approve Z-07-24 with the conditions submitted by the applicant on the RM-2 Conditional Zoning District.

-OR-

2. **Approve Z-07-24 with the 29 conditions of approval as set forth voluntarily by the applicant in the narrative that is attached to the**

---

<sup>4</sup> A request for a zoning map amendment approval is a request for a rezoning. Per North Carolina General Statute 160D-601(a), before adopting the rezoning, the Town Council shall hold a legislative hearing. Per North Carolina General Statute 160D-605(a) the Town Council shall also approve a statement addressing consistency or inconsistency with the 2040 Comprehensive Plan. Furthermore, per North Carolina General Statute 160D-605(b), the Town Council must also approve a statement about the reasonableness of the rezoning and shall approve a brief statement describing whether its action is consistent with an adopted comprehensive plan.

<sup>5</sup> 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.

**April 8, 2025 staff report. These 29 conditions and the site plan shall be further set forth as attachments to the rezoning ordinance.**

-OR-

3. Approve Z-07-24 with the following modifications made by the Town Council and accepted by the applicant:

---

---

-OR-

4. Deny Z-07-24.

## Huntcliff – Phase 2

Conditional Zoning District (RM-2 CZ)

Project Narrative and Conditions

December 9, 2024

Revised: February 11, 2025

Revised: March 3, 2025

Revised: March 28, 2025

### Project Narrative

The development of the property described as Huntcliff Tract, located along Indiana Avenue, in the attached documents and exhibits was originally approved in 1980 as a residential community with single-family units (including duplexes). The original development included a total of 20 units, with a mix of single units and duplex units. Phase 1 of this development included the construction of the existing six (6) total units.

Since that time, the property has been subdivided into three (3) total tracts, including the two (2) parcels described in the submitted documents (ParlD 00052523 and 00052524) that are currently owned by the applicant Fifteen Pinecones, LLC. These parcels are zoned RS-1 CD and RS-2 respectively and does not currently allow for the proposed development as currently designed with a private drive. A private drive is only allowed as part of a Subdivision for Townhomes or Condominiums and shall be maintained by the new Homeowners Association (HOA).

These two (2) parcels have a total project acreage of  $\pm 4.13$  AC and are being proposed as a RM-2 CD to allow for the same use as the current Huntcliff development, and original approved plan with single-family detached units with a private drive. These individual units would be subdivided as condominium units, similar to the existing structures (as currently platted). The proposed site plan has a maximum of eleven (11) total units, for a maximum density of  $\pm 2.7$  units / AC.

A portion of the property falls within the Cape Fear, Little River (Intake No. 2) watershed (WS-IIIIP) which is designated as a high-quality watershed (HQW). This limits the proposed development to two (2) dwelling units per acre; or twenty-four (24) percent built-upon area. If the proposed development exceeds either of these thresholds, the project may apply for the 5/70 exemption. The project has also been reviewed by Dr. J.H. Carter III and Associates and found no RCW cavity trees on the property. However, the lots are within one-half mile of abandoned SOPI cluster 005. This information and site plan have been submitted to the USFWS as recommended by Dr. J.H. Carter and Associates. There are no floodplains or wetlands located on the property.

#### A. Consistency

- a. The proposed project is consistent with the Southern Pines 2040 Comprehensive Plan. As noted, the Huntcliff tract is part of "The Hamlets" character district, which allows for single-family detached development. The Hamlets represent a specific neighborhood in Southern Pines that reinforces the feeling of living in a forest, with narrow streets and low-profile homes, balancing the natural and built environments. The proposed development "promotes infill development" (pg. 35) for vacant and under-utilized areas



of Southern Pines. This tract was originally designed to provide for 20 total units, with a mix of single-family and duplex units. This development also looks to “capitalize on connections to open space and natural areas” (pg. 34), connecting via trails to the adjoining park. The overall development also provides for additional housing opportunities.

**B. Adverse Impacts on Neighboring Lands**

- a. The proposed project as submitted will not have any adverse impacts on the adjoining properties. The single-family detached uses are consistent with the current community and surrounding area.

**C. Suitability as Presently Zoned**

- a. The property as currently zoned does not allow for private easement access to single-family subdivisions. Based on the Town of Southern Pines UDO (Section 4.11.3), private drive access is only allowed for townhomes or condominium developments. These units will be individually platted, similar to the existing Huntcliff Community and will have a new Homeowners Association that will maintain the common / shared spaces.

**D. Health, Safety, and Welfare**

- a. There will be no impact to the health, safety, and welfare of the public based on the proposed development.

**E. Public Policy**

- a. As noted in the Southern Pines 2040 Comprehensive Plan, Policy 7.1 includes supporting housing diversity in the community. “The Town should be an advocate for different types, sizes and price points of homes intermingled in close proximity, with a range of living experiences from rural to suburban to urban, so that there is something for everyone.” Policy 5.2 also states that the Town should “Encourage Infill Development and Redevelopment for Specific Character Districts” which urges Town officials to advocate for infill development projects inside town limits as a way to reinvest in areas with existing infrastructure capacity. This property had originally been planned to allow for twenty (20) total units.

**F. Size of Tract**

- a. The proposed development is made up of two (2) parcels with a total site acreage of ±4.13 acres.

**G. Other Factors**

- a. No other factors at this time

**H. Applicant Representations**

- a. Below is a list of conditions that are being proposed for the property. Most of the conditions will meet the current standards / requirements as set forth in the Town of Southern Pines UDO (Unified Development Ordinance), including land use, roads, site access, landscape / buffers, open space, stormwater, utilities, parking, pedestrian connections, lighting, signage, and architectural character.

## Conditions

### Land Use

1. The only land use allowed will include single-family (individual or duplex) units and indicated below by LBCS Code:
  - a. *Single-Family Detached* 1111
  - b. *Two-Family (double or Duplex)* 1120

### Roads

2. All roads within the Huntcliff development (as depicted) are to be maintained by the new Homeowners Association (HOA) for Phase 2. These roads shall meet the standards originally approved in 1980 with vegetated swales (for stormwater conveyance). This will be 20'-24' wide roadway with no curb and gutter (see site plan for detail).
3. The proposed roads and existing roads used to access new development will meet fire apparatus requirements / turnaround and tie into the existing community roads.

### Site Access

4. Main access to the two (2) parcels will be provided by the existing access road from Indiana Avenue. This access has a shared agreement to all three (3) parcels and will not require another access point along Indiana Avenue.
5. Access shall be a perpetual easement, which will be established and platted following proper procedures outlined in UDO 4.11.3.

### Landscape / Buffers

6. The RM-2 district requires a ten (10) foot minimum buffer along all adjacent property boundaries. Landscaping will be provided as required by the Town of Southern Pines UDO (Section 4.3)
7. All additional landscape requirements will be apply per Town of Southern Pines UDO, including parking area landscape.
8. Type 'A' Buffer - Provide 20' perimeter landscape buffer for entire boundary (as depicted on the site plan) along north, south and eastern lines (not internal to the site), maintaining existing trees that are 12" caliper or more.
9. Type 'B' Buffer - Provide 10' undisturbed landscape buffer for western boundary (+356 lf) (as depicted on the site plan), supplementing with longleaf pines and evergreen shrubs:
  - i. Longleaf Pines (min. 1.5" Cal.): 3 pines /100 lf (11 total pines)
  - ii. Evergreen Shrubs (min. 7 gal.): 10 shrubs /100 lf (36 total shrubs)
10. Type 'C' Buffer – Provide 10' landscape buffer for internal boundary (+208 lf) (as depicted on the site plan), supplementing with longleaf pines and evergreen shrubs
  - i. Longleaf Pines (min. 1.5" Cal.): 3 pines /100 lf (3 total pines)
  - ii. Evergreen Shrubs (min. 7 gal.): 10 shrubs /100 lf (28 total shrubs)
  - iii. Clean up underbrush and existing landscape material (as needed); allow for grading to ensure capture of stormwater

### Open Space

11. The proposed project will meet the required open space requirements per section 4.9 of the Town's UDO.
12. The overall open space, including the parking area, will be maintained by the new HOA.

### Stormwater

13. The property is located within a state regulated and protected drainage basin (WS-IIIP). All stormwater design will be consistent with all aspects of applicable local and state regulations for stormwater management and watershed protection. This will also include erosion and sedimentation control. Best management practices will be utilized in accordance with NCDEQ and shall be maintained as required. Final design and location of these systems will be completed at site plan review.

#### Utilities (Water / Sewer)

14. The current property is served by both water and sewer from the Town of Southern Pines and is adequately available for the proposed development. Final layout and design of these utilities will be provided during final site plan approval and will meet all local utility regulations / design requirements.

#### Grading

15. The overall property has rolling to severe terrain. In order to balance the site and maintain existing vegetation (where feasible), low retaining walls will be required. These locations will be determined during final engineering design.

#### Parking

16. All proposed units shall have a minimum of two (2) parking spaces per unit as required by the Town of Southern Pines (Exhibit 4.6).

#### Pedestrian Connections

17. The proposed units will have 4' wide walkways from the parking areas to the front entrance. Due to site restraints and grading, most walkways will not be connected but will tie into the parking / roadways for use by the homeowners.
18. A natural trail path (min. 3' wide) will be provided from the proposed tract to Sandhurst Park, located north of the proposed development. The final location will be determined based on final grading and engineering design.

#### Lighting

19. All lighting on the property will follow the standards set forth in the Town of Southern Pines UDO (Section 4.8). Lighting levels within the parking areas will be provided to meet the UDO standards for safety. All lighting will be projected downward to limit any light onto adjoining properties.

#### Signage

20. All signage will be designed in conformance with the Town of Southern Pines UDO (Section 4.6).

#### Site Plan

21. Residential footprints / floor plans will be determined by market conditions.
22. Final building layouts / locations will be determined by engineering design based on grading, utilities, and tree save areas.

#### Architectural Character

23. The proposed architecture of the single-family units will be consistent with the surrounding character of the community, and is subject to review by the Huntcliff Association, Inc. or by the Architectural Committee.
24. Based on the existing site conditions and topography, some units may allow for a walk-out scenario.
25. Individual units will be limited to ±1,500 – 2,200 heated square feet to align with the existing square footage within the Huntcliff community.
26. The units will be limited to 1.5 stories at the front elevation (facing the parking area), still allowing for walk-out scenarios (where applicable).
27. The proposed architecture will be consistent with the designs of the existing units within the Huntcliff Community (images attached).
  - a. Low pitch roofs (max. 8/12)
  - b. Horizontal lap siding
  - c. Asphalt shingle roof
  - d. Front porch at entry
  - e. Dormers at front elevation (vary per unit)
  - f. Shutters at front windows

Service Area

28. A dumpster / service area (trash / recycling) for the community is proposed for the entire tract/development, including the existing and proposed units. This will assist in eliminating the need for individual trash collection.
29. The dumpster / service area will be screened from view with brick veneer and will be made accessible to the residents of Huntcliff.

The descriptions and conditions as described above will apply to the entire project as indicated in the Conditional Zoning District application.

## Existing Huntcliff Community – Architectural Character (Design Elements)



### Unit(s) 12 / 14 (duplex)

- Low pitch roof
- Horizontal siding
- Shutters
- Asphalt shingles



### Unit(s) 12 / 14 (duplex)

- Low pitch roof
- Horizontal siding
- Shutters
- Asphalt shingles
- Dormer
- Front porch / stoop



### Unit(s) 15 / 16 (duplex)

- Low pitch roof
- Horizontal siding
- Shutters
- Asphalt shingles
- Front porch / stoop



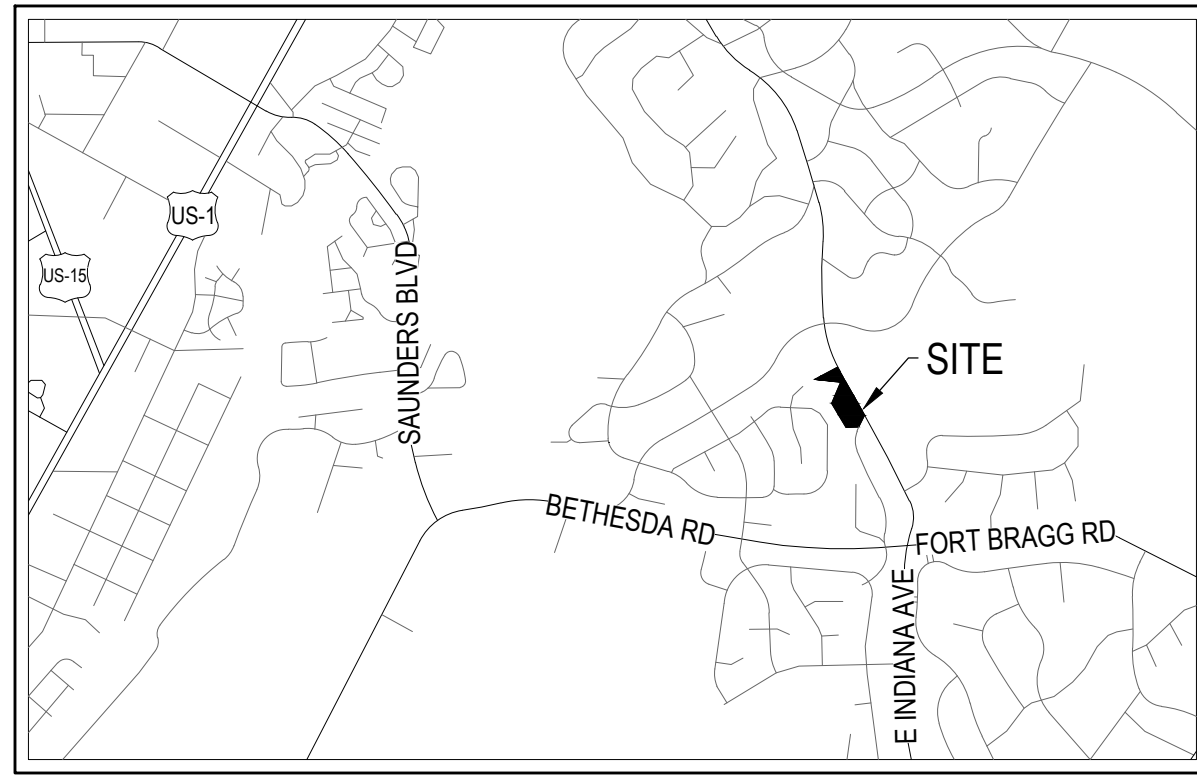
### Unit 10

- Low pitch roof
- Horizontal siding
- Shutters
- Asphalt shingles
- Front porch stoop



### Unit 13

- Low pitch roof
- Horizontal siding
- Shutters
- Asphalt shingles
- Front porch stoop



**2.0 TREE PROTECTION:**

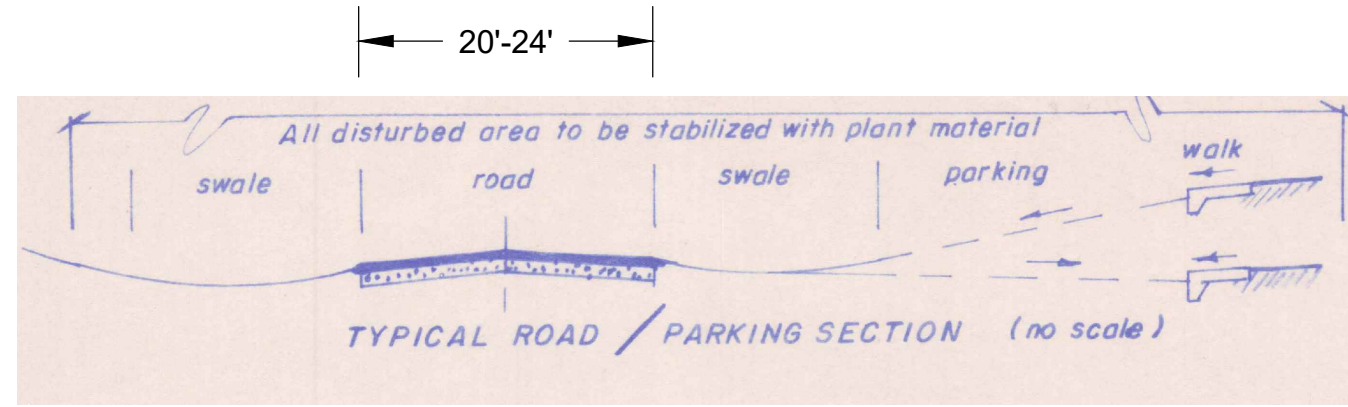
- 2.1 THE CONTRACTOR SHALL BE RESPONSIBLE FOR PREVENTING DAMAGE TO EXISTING TREES LOCATED ALONG ACCESS AND HAUL ROADS, AND ADJACENT TO, OR WITHIN BUILDING CONSTRUCTION SITES AND MATERIAL AND EQUIPMENT STORAGE AREAS. THOSE TREES TO BE SAVED SHALL BE FLAGGED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
- 2.2 MATERIALS SHALL NOT BE STORED, NOR VEHICLES PARKED WITHIN THE DRIP-LINE OF THE TREE UNLESS AUTHORIZED BY LANDSCAPE ARCHITECT OR OWNER.
- 2.3 VEHICLES AND EQUIPMENT SHALL NOT BE DRIVEN OVER EXPOSED ROOTS AND ROADS SHALL NOT BE LOCATED WITHIN THE DRIP-LINE OF TREES UNLESS APPROVAL IS OBTAINED FROM THE LANDSCAPE ARCHITECT OR OWNER.
- 2.4 NO CUTTING OR FILLING OF EXISTING GRADE, TRENCHING OR PRUNING SHALL OCCUR UNLESS SPECIFICALLY DIRECTED BY THE CONSTRUCTION DOCUMENTS, OR WITH WRITTEN CONSENT BY THE LANDSCAPE ARCHITECT OR THE OWNER.
- 2.5 NO BURNING OF TRASH IS ALLOWED WITHIN 75' OF EXISTING TREES AND CARE SHALL BE TAKEN TO PREVENT ANY SMOKE DAMAGE TO TREES.

**LEGEND:**

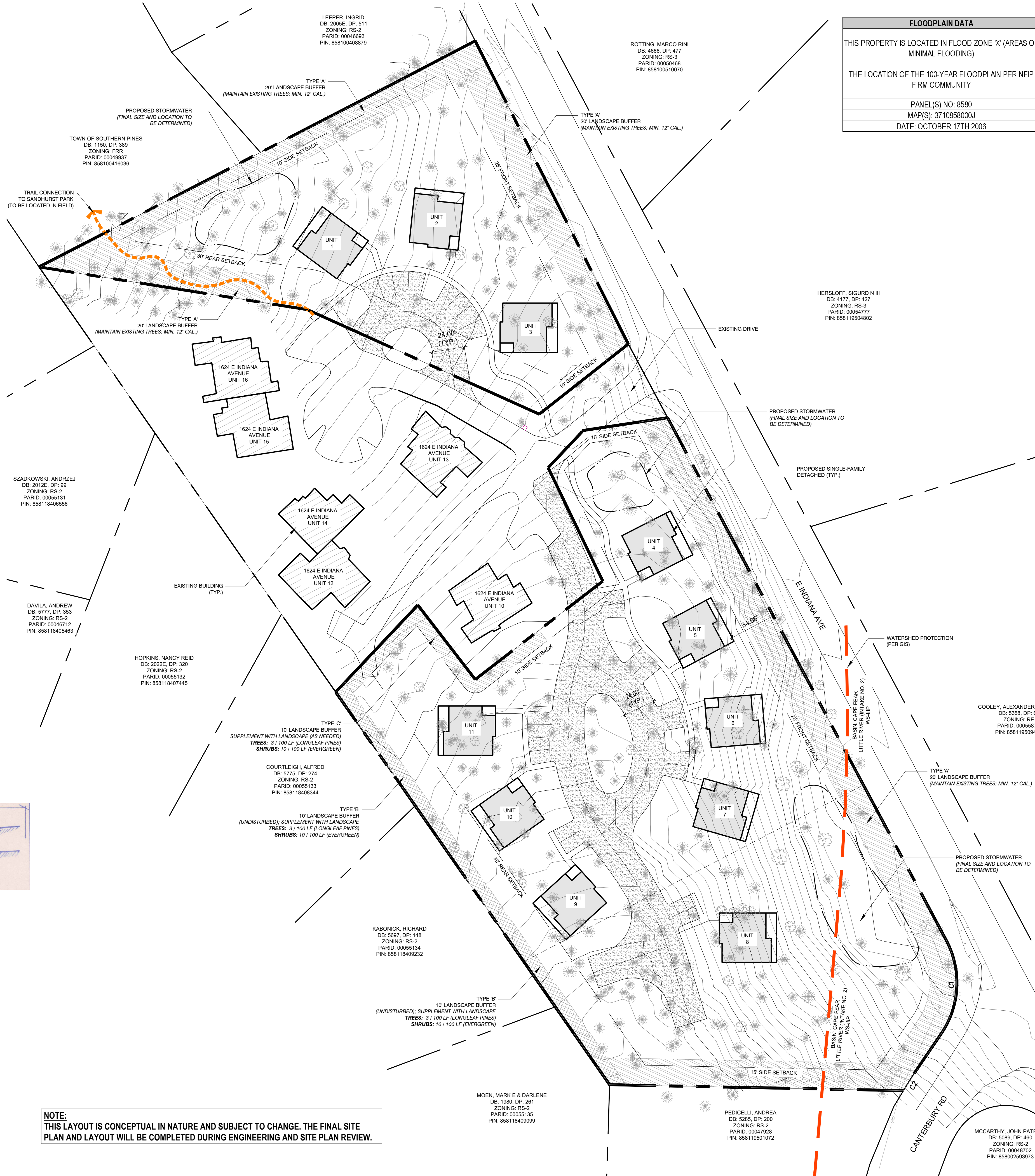
- IRF = IRON ROD FOUND
- IPF = IRON PIPE FOUND
- IRS = IRON ROD SET
- PKF = PK NAIL FOUND
- CMF = CONCRETE MONUMENT FOUND
- = PROPERTY BOUNDARY
- = OVERHEAD UTILITIES
- - - = EXISTING MINOR CONTOUR
- - - = EXISTING MAJOR CONTOUR
- ⊙ = SEWER MANHOLE
- ⊕ = EXISTING UTILITY POLE
- ⊙ = EXISTING PINE
- ⊙ = EXISTING HARDWOOD

**CAUTION**

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



**TYPICAL ROAD / PARKING SECTION**  
(PER ORIGINAL APPROVAL 1980)



FLOODPLAIN DATA	
THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X' (AREAS OF MINIMAL FLOODING)	
THE LOCATION OF THE 100-YEAR FLOODPLAIN PER NFIP FIRM COMMUNITY	
PANEL(S) NO:	8580
MAP(S):	3710858000J
DATE:	OCTOBER 17TH 2006

PROPERTY INFORMATION	
PROPERTY OWNER(S):	FIFTEEN PINECONES, LLC 330 MILE AWAY LANE SOUTHERN PINES, NC 28387
APPLICANT:	FIFTEEN PINECONES, LLC 330 MILE AWAY LANE SOUTHERN PINES, NC 28387
TOTAL ACREAGE:	±4.13 ACRES
PARCEL INFORMATION:	PARCEL ID: 00052524, 00052523 PIN: 858119409715, 858119501314 DEED BOOK: 5636 DEED PAGE: 461 EXISTING ZONING: RS-2, RS-1CD

PROPOSED ZONING INFORMATION	
PROPOSED ZONING:	RM-2CD
REQUIRED SETBACKS:	FRONT: 25 FT FRONT: (FROM STREET CENTERLINE) 55 FT EXTERIOR SIDE: 15 FT EXTERIOR SIDE: (FROM STREET CENTERLINE) 45 FT INTERIOR SIDE: 10 FT REAR: 30 FT
MAX. BUILT UPON SURFACE (MS-III):	MAX. BUILT UPON SURFACE: 24%
MAX. BUILDING HEIGHT:	HEIGHT: 40 FT

OPEN SPACE CALCULATIONS	
AREA OF OPEN SPACE:	± 1.47 AC
DIVIDED BY TOTAL SITE AREA:	± 4.13 AC
EQUALS PERCENT OPEN SPACE:	35.50%
MINIMUM OPEN SPACE REQUIRED:	10.00%

**NOTE:**  
1. THE OVERALL OPEN SPACE INCLUDES THE AREA OUTSIDE OF THE BUILDING FOOTPRINT AND THE ROADWAY (UP TO THE EDGE OF PAVEMENT). THIS INCLUDES THE STORMWATER MANAGEMENT AREAS AND THE SIDEWALKS / WALKWAYS. FINAL OPEN SPACE AREA MAY FLUCTUATE DEPENDING ON THE FINAL FOOTPRINTS, BUT WILL MAINTAIN A MINIMUM 35% OPEN SPACE FOR THE OVERALL SITE.  
2. 10' PERMETER BUFFER TO REMAIN UNDISTURBED, EXCEPT FOR STORMWATER MANAGEMENT AREAS AND TRAIL CONNECTIONS PER THE FINAL ENGINEERING DESIGN. STORMWATER MANAGEMENT DEVICES ARE PERMITTED WITHIN BUFFERS PER 4.3 (C)(6) OF TOWN OF SOUTHERN PINES UDO.

**NOTE:**  
THIS LAYOUT IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE. THE FINAL SITE PLAN AND LAYOUT WILL BE COMPLETED DURING ENGINEERING AND SITE PLAN REVIEW.

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



164 NW BROAD STREET  
SOUTHERN PINES, NC 28387  
P: 734-478-1917  
W: www.longitudiplanning.com

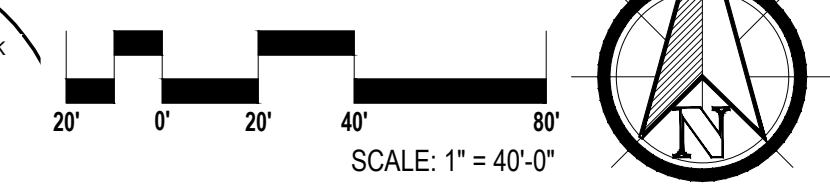
**HUNTCLIFF**  
**INDIANA AVENUE**  
SOUTHERN PINES, NORTH CAROLINA

- REVISIONS:**
- 1 2025-02-11 - TOWN OF SOUTHERN PINES (REVIEW COMMENTS)
  - 2 2025-03-28 - TOWN OF SOUTHERN PINES (TOWN COUNCIL MEETING)

SHEET TITLE:  
**PRELIMINARY SITE PLAN**

DATE: 2024-12-09  
DESIGNED BY: JWS  
DRAWN BY: TTK  
SCALE: 1" = 40'  
PROJECT #: LPG2023-0013

SHEET #:  
**S1.0**





## + PHASING PLAN

- **PHASE 1:** 7-8 UNITS (SOUTHERN TRACT) -----
- **PHASE 2:** 3-4 UNITS (NORTHERN TRACT) -----
- CONSTRUCTION ACCESS (TO PH. 1) ----->

# PROPOSED PHASING

## **Agenda Item**

**To:** Town Council

**Via:** BJ Grieve, Planning Director

**From:** Mason Mattox, Planner II

**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:** April 08, 2025

---

### **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 as commercial coworking space (Office Administrative Services – LBCS 2421) with proposed conditions of rezoning to mitigate impacts of the change. 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. PLANNING BOARD REVIEW**

On March 20, 2025, the Town of Southern Pines Planning Board convened to hold a public hearing regarding application Z-02-25. The public hearing was opened and concluded on the same day. Mason Mattox, Planner II, made a staff presentation of the subject parcel, followed by staff's recommendation of approval. No members of the public spoke in favor or against the application. After closing the public hearing, by a unanimous vote of 7-0, the Board moved that the proposed amendment is consistent with the 2040 Comprehensive Plan and therefore, recommended approval of Z-01-25 to the Town Council with the attached list of conditions on the Neighborhood Business Conditional Zoning District.

### **III. PROJECT INFORMATION**

#### **A. Physical Address**

220 Springwood Way,  
Southern Pines, NC, 28387

#### **B. Legal Property Owner**

The Cottages on May  
Homeowners Association Inc.

#### **C. Applicant**

Ameeta Swaby 180 Roundtree  
Lane, Southern Pines, NC 28387

#### **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 April 08, 2025 Town Council staff report.

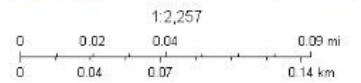
**Figure 1: Vicinity Zoning Map**

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, ©

Source: TOSP Planning Mapping Site  
The Town of Southern Pines, its agents and employees make NO warranty as to the correctness or accuracy of the information set forth on this media whether express or implied.

## IV. 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**

Town Council Regular Meeting: **April 08, 2025**

Publication: **March 26** and **April 02**

Mail: **March 21, 2025**

Signage: **March 05, 2025**

Internet: **March 21, 2025**

### 2. Staff Consistency Evaluation Based on Criteria for the Rezoning of Subject Parcel for Zoning Map Amendment Review per UDO § 2.17.9<sup>1</sup>

*(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,*

---

<sup>1</sup> 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.

*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 April 04, 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 April 08, 2025 Town Council staff report.

#### **V. ATTACHMENTS**

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

1. Signed Planning Board Recommendation
2. Application
3. 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.*

#### **VI. TOWN COUNCIL ACTION<sup>2</sup>**

---

<sup>2</sup> A request for a zoning map amendment approval is a request for a rezoning. Per North Carolina General Statute 160D-601(a), before adopting the rezoning, the Town Council shall hold a legislative hearing. Per North Carolina General Statute 160D-605(a) the Town Council shall also approve a statement addressing consistency or inconsistency with the 2040 Comprehensive Plan. Furthermore, per North Carolina General Statute 160D-605(b), the Town Council must also approve a statement about the reasonableness of the rezoning and shall approve a brief statement describing whether its action is consistent with an adopted comprehensive plan. 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

To assist the Town Council in performing this task, Town staff have prepared the following draft motions for consideration, possible modification as necessary, and adoption.

\* \* \*

**I move that after reviewing the proposed map amendments (i.e., rezoning) 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 amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest, and consistent with the 2040 Comprehensive Plan for reasons set forth in the April 08, 2025 staff report and contained in the Planning Board recommendation.**

-OR-

2. The requested rezoning is inconsistent with the 2040 Comprehensive Plan and is not a reasonable request for the following reasons:
  - a.

**And, therefore, I move to<sup>3</sup>:**

1. **Approve Z-01-25 with the four conditions of approval as set forth voluntarily by the applicant on the Neighborhood Business Conditional Zoning District. The four conditions shall be further set forth as attachments to the rezoning ordinance.**

-OR-

2. Approve Z-01-25 with the following modifications made by the Town Council, accepted by the applicant.

---

permitted and that will not alter the basic relationship of the proposed Development to surrounding properties or the standards.

<sup>3</sup> 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.

---

---

-OR-

3. Deny Z-01-25.



**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:

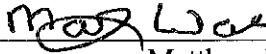
1. The land uses shall be limited to the following:
  - a. LBCS 2421 - Office Administrative Services.
  - b. LBCS 6830 – Civic, social, or fraternal organization.
2. The coworking space will operate within standard business hours of 8 AM until 8 PM to minimize any potential disturbances to the surrounding 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.

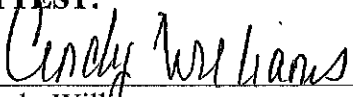
---

---

---

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

  
Matthew Walden, Chairman

**ATTEST:**  
  
Cindy Williams  
Secretary to the Planning Board



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: 910-690-4986

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

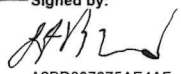
**APPOINTMENT OF AGENT**


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:

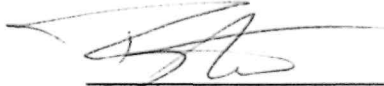
1. to submit an application and required supplemental materials;
2. to appear at public meetings and give representation and comments on behalf of the owner(s);
3. to accept conditions or recommendations made by the Town of Southern Pines Planning Board and Town Council for a rezoning of the subject 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  
CARTHAGE, NORTH CAROLINA 28327

PLAT CABINET 16 SLIDE 819



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 latitudes and departures is better than 1:7500; that the boundaries not surveyed are clearly indicated as drawn from information appropriately shown hereon; that this survey was made per legal descriptions listed under "Reference" hereon; 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*  
Emmett S. Raynor,  
Surveyor, L-2521



I, Emmett S. Raynor, PLS L-2521, do certify herewith that, in accordance with GS47-30(1)(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.

*Dorothy Dutton*  
Dorothy Dutton  
Review Officer

Date: 12/14/2015

CERTIFICATE OF APPROVAL FOR RECORDING

I, Bart S. Nuckols or *Bart S. Nuckols*, 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. Nuckols* 12/14/15  
Bart S. Nuckols, Planning Director,  
or his authorized Assistant.

Approved Building Setbacks	
Front Yard	= 15'
Interior Side Yard	= 5'
Exterior Side Yard	= 10'
Rear Yard	= 30'

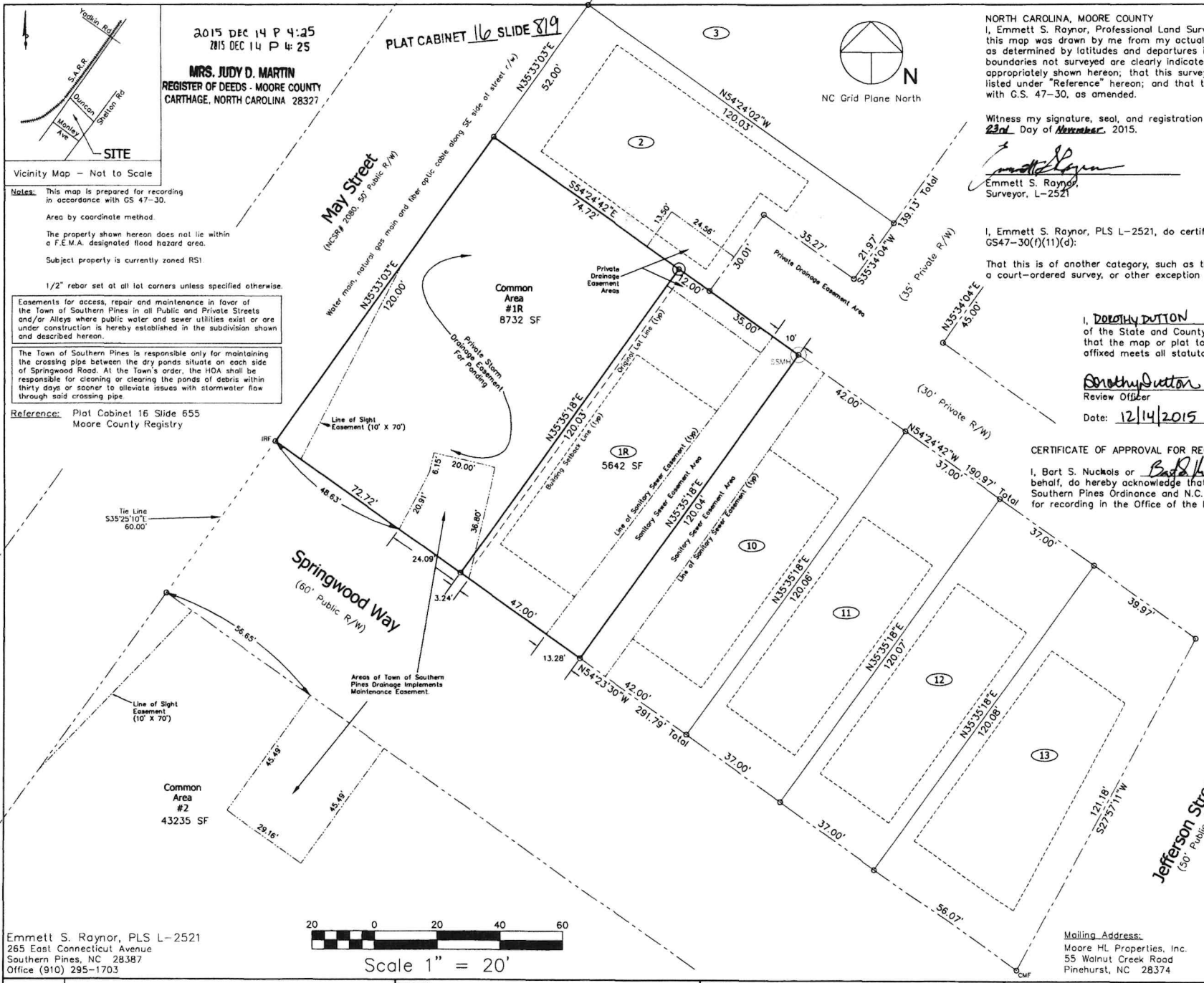
Utilities easement lines located within Lots 1 & 10 are the building setbacks, as shown.

- Legend:
- IPF= Iron Pipe Found
  - IRF= Iron Rod Found
  - ISF= Iron Stake Found
  - CMF= Concrete Monument Found
  - IRS= Iron Rod Set
  - CMS= Concrete Monument Set
  - = Power/Utility Pole
  - SSMH= Sanitary Sewer Manhole
  - WM= Water Meter
  - FH= Fire Hydrant
  - SCO= 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

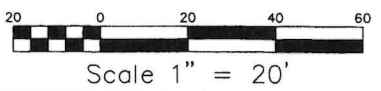
Mailing Address:  
Moore HL Properties, Inc.  
55 Walnut Creek Road  
Pinehurst, NC 28374

Jefferson Street  
(30' Public R/W)



**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 F.E.M.A. 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 in 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 hereon.  
The Town of Southern Pines is responsible only for maintaining the crossing pipe between the dry ponds situated on each side of Springwood Road. At the Town's order, the HOA shall be responsible for cleaning or clearing the ponds of debris within thirty days or sooner to alleviate issues with stormwater flow through said crossing pipe.

Reference: Plat Cabinet 16 Slide 655  
Moore County Registry



Emmett S. Raynor, PLS L-2521  
265 East Connecticut Avenue  
Southern Pines, NC 28387  
Office (910) 295-1703

DRAWN BY: ESR DATE: April 15, 2014 DWG. NO.:	APPROVED BY: PROJ. NO.: DWG. COT_MAY_Lot_1R_Phase1.dwg	REVISIONS Revised 06/26/2015; 07/01/2015.	PROJECT Recombination Plat of <b>The Cottages on May</b> Lot 1R and Common Area Tract #1R McNeill Township, Moore County, Southern Pines, North Carolina	SHT. NAME The Property of <b>Moore HL Properties, Inc.</b>	SHT. NO.
--	--	--	---	--	----------

**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:** Town Council

**Via:** BJ Grieve, Planning Director

**From:** Mason Mattox, Planner II

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

**Date:** April 08, 2025

---

### **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. PLANNING BOARD REVIEW**

On March 20, 2025, the Town of Southern Pines Planning Board convened to hold a public hearing regarding application Z-02-25. The public hearing was opened and concluded on the same day. Mason Mattox, Planner II, made a staff presentation of the subject parcel, followed by staff's recommendation of approval. No members of the public spoke in favor or against the application. After closing the public hearing, by a unanimous vote of 6-0 (Jennifer Garner recused) – the Board moved that the proposed amendment is consistent with the 2040 Comprehensive Plan and therefore, recommended approval of Z-02-25 to the Town Council with the attached list of conditions on the Central Business Conditional Zoning District.

### **III. 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
---	--	---

#### **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*

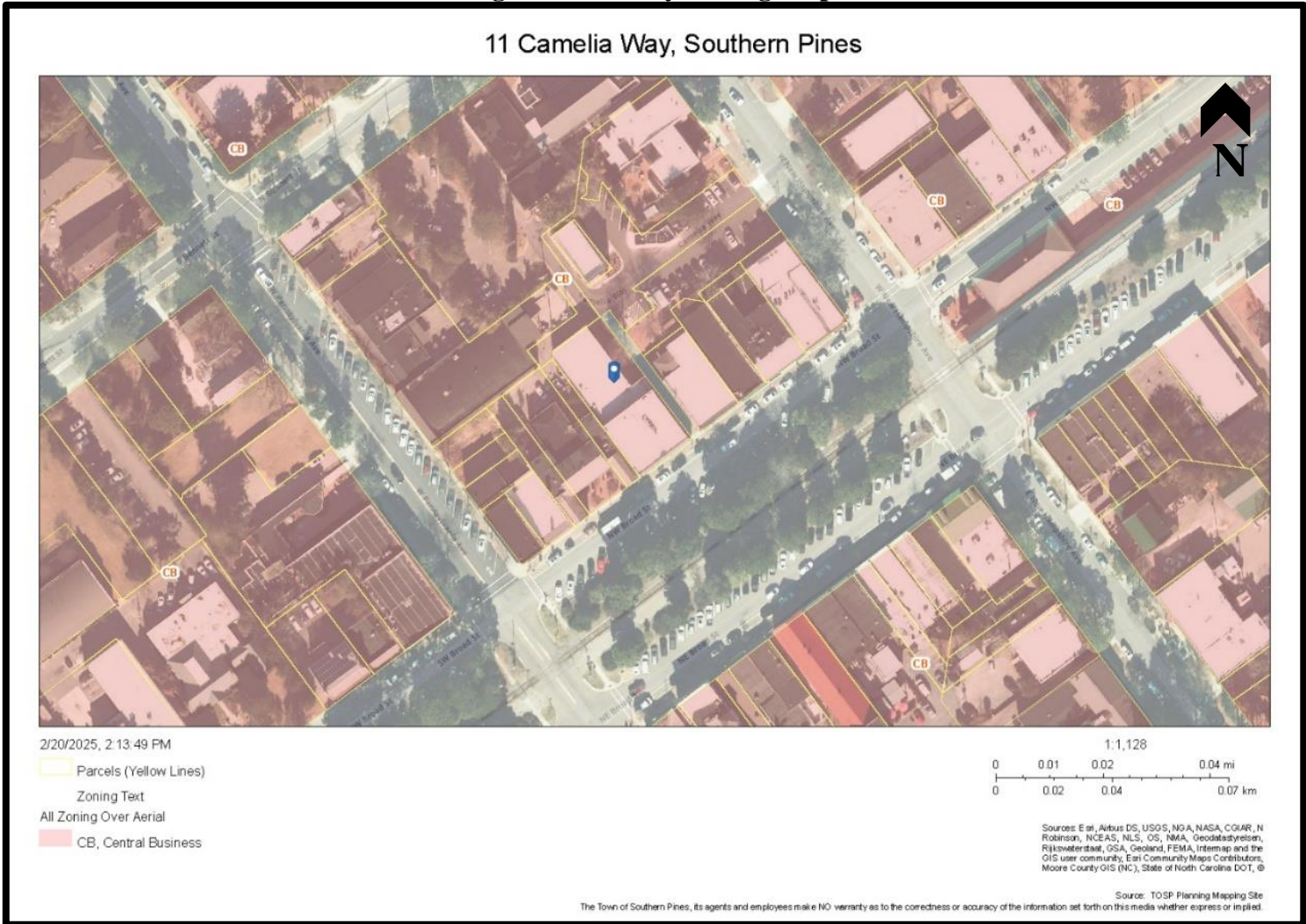
The parcel is located within the “Central Business District” which overlaps the Local Historic District in its entirety. This designation promotes the “historic buildings and walkable streets in the area [which] provide plenty of shops and restaurants for residents and visitors.”

**F. Proposed Conditions**

The applicant’s proposed conditions are Attachment #3 to this staff report.

**Figure 1: Vicinity Zoning Map**

11 Camelia Way, Southern Pines



## IV. 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**

Town Council Regular Meeting: **April 08, 2025**

Publication: **March 26** and **April 02**

Mail: **March 21, 2025**

Signage: **March 05, 2025**

Internet: **March 21, 2025**

### 2. Staff Consistency Evaluation Based on Criteria for the Rezoning of Subject Parcel for Zoning Map Amendment Review per UDO § 2.17.9<sup>1</sup>

(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,

---

<sup>1</sup> 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 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	RIM-1	RIM-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 April 04, 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).

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 to this staff report.

## **V. ATTACHMENTS**

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

1. Signed Planning Board Recommendation
2. Application
3. List of Conditions
4. Narrative
5. Operational 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.*

## VI. TOWN COUNCIL ACTION<sup>2</sup>

To assist the Town Council in performing this task, Town staff have prepared the following draft motions for consideration, possible modification as necessary, and adoption.

\* \* \*

**I move that after reviewing the proposed map amendments (i.e., rezoning) 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 amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest, and consistent with the 2040 Comprehensive Plan for reasons set forth in the April 08, 2025 staff report and contained in the Planning Board recommendation.**

-OR-

2. The requested rezoning is inconsistent with the 2040 Comprehensive Plan and is not a reasonable request for the following reasons:
  - a.

---

<sup>2</sup> A request for a zoning map amendment approval is a request for a rezoning. Per North Carolina General Statute 160D-601(a), before adopting the rezoning, the Town Council shall hold a legislative hearing. Per North Carolina General Statute 160D-605(a) the Town Council shall also approve a statement addressing consistency or inconsistency with the 2040 Comprehensive Plan. Furthermore, per North Carolina General Statute 160D-605(b), the Town Council must also approve a statement about the reasonableness of the rezoning and shall approve a brief statement describing whether its action is consistent with an adopted comprehensive plan. 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.

**And, therefore, I move to<sup>3</sup>:**

- 1. Approve Z-02-25 with the conditions of approval as set forth voluntarily by the applicant on the Central Business Conditional Zoning District. The conditions shall be further set forth as attachments to the rezoning ordinance.**

-OR-

2. Approve Z-02-25 with the following modifications made by the Town Council, accepted by the applicant.

---

---

-OR-

3. Deny Z-02-25.

---

<sup>3</sup> 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.

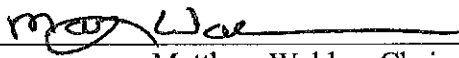
B. Clients are required to utilize the public parking spaces in downtown and are required to escort their children onto the premises for drop-off and pick-up as shown on operational plans attached to the ordinance. Drive-up drop-off and pick-up shall not be permitted under any circumstances.

---

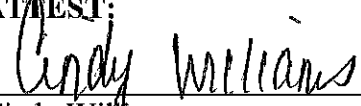
---

---

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

  
Matthew Walden, Chairman

**ATTEST:**

  
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: 9102806699
Mailing Address: 1023 Devonshire Trail Aberdeen, NC 28315

Authorized Agent, if different from Applicant:

Name(s): Abbey George
Email: info@virtokids.com Phone: 9102806699
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 hereby 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.

Patricia Richardson  
For: PATRICIA RICHARDSON  
SOUTHERN PINES ASSOCIATES, INC  
Property Owner

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

Abbey George  
Agent

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.

