



AGENDA

Tuesday, May 13, 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

a. Adopt Agenda

4. PUBLIC COMMENTS

5. CONSENT AGENDA

a. Adopt Resolution Honoring National Public Works Week

b. Authorize Town Manager to Execute Agreement with Weymouth Center for the Arts & Humanities for an Outgoing Loan of Artwork

c. Approve Meeting Minutes

Staff has prepared the following minutes for approval:

- April 3, 2025, Town Council Budget Retreat
- April 8, 2025, Town Council Business Meeting
- April 22, 2025, Town Council Work Session

d. Budget Amendment

Finance Staff are requesting an amendment to the Utility Fund budget to properly recognize compensated absences per new reporting requirements of General Accounting Standards Board (GASB) 101.

e. Request to Close Fund 71 and Transfer any remaining balance to the General and Utility Funds

Finance staff are requesting the formal closure of Budgetary Fund 71, historically used as a clearing house for employee payroll withholdings toward various benefits, as these transactions will be recorded through the general and utility funds moving forward.

6. PUBLIC HEARINGS - LEGISLATIVE

a. FY26 Budget Hearing

Town Manager Parsons will present the draft FY26 Budget during one of the two scheduled Public Hearing ahead of Budget adoption on June 10th.

b. OA-01-25: Proposed Text Amendments to the Southern Pines Unified Development Ordinance

The Town of Southern Pines Planning Department is proposing to amend the Unified Development Ordinance (UDO) with a variety of text amendments related to recent changes in North Carolina General Statute (NCGS) passed as Session Law (SL) 2024-49 (SB 166). Planning staff is also using this opportunity to propose a suggested change to the Watershed Protection Overlay (WPO) that came from the Division of Energy, Mineral and Land Resources at NCDEQ and a staff-recommended change to Board of Adjustment voting requirements to improve consistency with state law.

c. Z-03-25 Village Walk Conditional Zoning District

Trevor Hansen of Koontz Jones Design PLLC, on behalf of Moore HL Properties Inc., has submitted a request to rezone five parcels in between SW Service Road and S Hale Street from Office/Service (OS) to Residential Mixed Housing Conditional Zoning District (RM-1CD) with several proposed conditions. The application includes both a rezoning and a Major Subdivision Preliminary Plat. A separate evidentiary hearing will be held on the Major Subdivision Preliminary Plat.

7. PUBLIC HEARINGS - EVIDENTIARY

a. MAPP-01-25: Village Walk Major Subdivision Preliminary Plat

Trevor Hansen of Koontz Jones Design PLLC, on behalf of Moore HL Properties Inc., has submitted a request for a major subdivision preliminary plat to subdivide +2.86 acres of land into 12 single-family 0.04-acre lots, three four-family 0.08-acre lots, and one common area 2.17-acre lot—a total of 16 lots. This application must be preceded by approval of a Conditional Zoning District.

8. ACTION ITEMS

a. Consider Ordinance #3114 Amending Chapter 70 of the Town's Code of Ordinances

Chapter 70 includes local regulations concerning traffic control, parking and similar. One section addresses parking in front of the Sunrise Theater and was enacted based on a prior request. As operations have since changed, they have requested that the Council remove this provision. Staff reviewed Chapter 70 in its entirety for other necessary administrative revisions.

b. Direct the Town Clerk to investigate the sufficiency of the petition and certify the result and set a public hearing date for Annexation application AX-01-25.

An application for annexation was received and staff has prepared the following documents for approval:

Resolution #1112 - Direct the Clerk to Investigate the Sufficiency of the petition and certify the result, per NCGS 160A-31(c)

Resolution #1114 - Setting the Date of Public Hearing for June 10, 2025 for Annexation Application AX-01-25

c. Nomination of Properties for the National Register of Historic Places

Town Staff (Mason Mattox) and The Chief Elected Official of the Town (Mayor Taylor Clement) received a letter from the State Historic Preservation Office (SHPO) requesting comment on two formal National Register of Historic Places nominations; one for Amos Broadway Theater, and the other for Trinity AME Zion Church. The sites were nominated to the NRHP by HMW Preservation (Heather Slane) on behalf of their respective property owners.

9. 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>



PROCLAMATION

National Public Works Week

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to public health, high quality of life, and well-being of the people of the Town of Southern Pines; and,

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, the Town of Southern Pines Public Works Department is made up of talented hardworking individuals who through hard work and dedications have made the Town of Southern Pines the wonderful community it is to live and work in today; and,

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in the Town of Southern Pines to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2025 marks the 65th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now,

THEREFORE, BE IT RESOLVED, that I, Taylor G. Clement, Mayor, on behalf of the Town Council of The Town of Southern Pines, do hereby designate the week of May 18–24, 2025, as

National Public Works Week

I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and advancing quality of life for all.



Taylor G. Clement
Mayor, Town of Southern Pines



MINUTES

Tuesday, April 8, 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.

Mayor Pro Tem Bill Pate asked for clarification on additional fees in the audit contract. Town Manager Parsons explained these were for potential single audit fees if large grants were obtained, but none were currently scheduled.

Mayor Pro Tem Pate moved to adopt the meeting agenda, seconded by Councilmember Gray; the vote was unanimous.

Motion Passed.

4. PUBLIC COMMENTS

John McInerney of 460 Crest Road expressed concerns about potentially reducing development standards like sidewalks and streetlights to lower costs, as it could result in "second class" locations. He urged caution in allowing developers to eliminate such amenities.

5. CONSENT AGENDA

Councilmember Ann Petersen noted a correction the March 11th minutes.

Councilmember Goodman moved to adopt the Consent Agenda, seconded by Mayor Pro Tem Pate; the vote was unanimous.

Motion passed.

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.

Mayor Clement opened the hearing.

Planning Director BJ Grieve provided an update on changes made since the previous meeting, including:

- Added details on architecture to be consistent with existing Huntcliff homes
- Enhanced vegetative buffering design
- Updated phasing plan for construction access

The applicant, Jeremy Sparrow, presented additional details on the proposed architecture and buffers. He noted the development would match existing Huntcliff home designs with features like low-pitch roofs, horizontal siding, and front porches.

Public Comments:

- Ploudy Meadows of 106 Canterbury Road questioned the density and zoning compatibility with surrounding areas.
- Meredith Mucci of 103 Canterbury Road stated there were deed restrictions on part of the property that would limit development.
- Andrea Peticelli of 102 Canterbury Road worried about impacts to wildlife and traffic.

There was extensive discussion between council members, staff, and the applicant regarding:

- Clarification on the number of units and density calculations
- Potential deed restrictions and how they relate to zoning approvals
- Stormwater management and erosion control measures
- Changes to the HOA agreement

Mayor Clement closed the hearing.

Councilmember Goodman moved 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, 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. The motion was seconded by Councilmember Gray and the votes was as follows:

- Mayor Clement: aye
- Mayor Pro Tem Pate: aye
- Councilmember Petersen: nay
- Councilmember Gray: aye
- Councilmember Goodman: aye

Motion passed.

Councilmember Goodman moved to therefore approve Z-07-24 with the 29 additional conditions of approval as set forth voluntarily by the applicant in the narrative that is attached to the April 8, 2025, staff report, plus an additional condition of private no trespassing signs added. The 30 conditions and the site plan shall be further set forth as attachments to the rezoning ordinance. The motion was seconded by Councilmember Gray and the vote was as follows:

- Mayor Clement: aye
- Mayor Pro Tem Pate: aye
- Councilmember Petersen: nay
- Councilmember Gray: aye
- Councilmember Goodman: aye

Motion passed.

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.

Mayor Clement opened the hearing.

Planner Mason Maddox presented the application to rezone part of the Cottages on May clubhouse to allow a commercial coworking space. He noted:

- The space would be approximately half of the existing clubhouse building
- Parking would be on-street
- Maximum occupancy would be 15 people

The applicants, Skylar Crowder and Houston Crowder, explained the coworking concept and stated average occupancy had been 2 people when previously operating.

Lindsey Bryson, HOA president, expressed support for the project, noting it would help offset HOA expenses and provide "overwatch" for the community.

Council members discussed the unique nature of allowing commercial use in a residential zone through conditional zoning.

Public comments were opened and none voiced.

Mayor Clement closed the hearing.

Mayor Pro Tem Pate moved 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 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. The motion was seconded by Councilmember Goodman and the vote was unanimous. Motion passed.

Mayor Pro Tem Pate moved to therefore 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. The motion was seconded by Councilmember Goodman and the vote was unanimous. Motion passed.

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.

Mayor Clement opened the hearing.

Planner Mason Maddox presented the application to allow a child daycare in the former Southern Pines Escape Room space at 11 Camellia Way downtown. Key points included:

- Maximum of 18 children allowed based on square footage
- Creative drop-off/pick-up plan proposed without automotive access
- Historic district regulations would govern exterior changes

The applicant, Abby George, expressed excitement about meeting childcare demand downtown.

Public comments were opened and none voiced.

Mayor Clement closed the hearing.

Councilmember Grey moved 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 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. The motion was seconded by Councilmember Petersen and the vote was unanimous.
Motion passed.

Councilmember Grey moved to, therefore, 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.
Motion passed.

7. ACTION ITEMS

Mayor Pro Tem Pate shared his appreciation for the Library Staff and all of their hard work.

8. ADJOURNMENT

Upon motion by Councilmember Goodman, seconded by Councilmember Gray and carried unanimously, Council adjourned at 8:05 pm.

Respectfully submitted:

Elizabeth Robertson, Town Clerk



MINUTES

Tuesday, April 22, 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; Ann Petersen and Debra Gray.

Absent : Bill Pate and Brandon Goodman

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

Town Manager Reagan Parsons requested to add an additional Action item regarding a Parks and Recreation Trust Fund grant application for the Whitehall perimeter trail. He explained that the application was due May 1st and required council approval. The grant would be \$500,000 with a matching commitment from the town within 3 years if awarded.

Discussion ensued and the Council agreed to add the item as 4b.

4. ACTION ITEMS

a. Authorize Town Manager to Execute Agreement with Weymouth Center for the Arts & Humanities for an Outgoing Loan of Artwork

The Weymouth Center will be hosting various events as part of America 250 NC, commemorating 250 years of our nation's history. They have requested that the Town loan three paintings by N.C. Wyeth that were created for the 1928 edition of *Drums* by James Boyd.

Town Manager Reagan Parsons explained that this item involved a lease agreement for three Wyeth paintings owned by the town to be loaned to the Weymouth Center from June 2025 through January 2027. The paintings would be part of revolutionary events taking place across North Carolina and the country. Mr. Parsons noted that the lease agreement contained details on required security and handling of the paintings. It was built off a template from the Smithsonian. However, the actual lease document was not included in the council packet due to some sensitive information on valuations.

Councilmember Ann Petersen requested to delay voting on this until the May Business Meeting so she could review the lease document. The council agreed to postpone this item.

4b. Approve Application for Parks and Recreation Trust Fund Grant

Recreation Director Greg Thompson explained that this grant application was for \$500,000 to help fund the perimeter trail at Whitehall, which would be an ADA-accessible trail. The town would need to commit to providing \$500,000 in matching funds within 3 years if awarded the grant.

Councilmember Petersen moved to support the submission of the grant application to the Parks and Recreation Trust Fund for the Whitehall perimeter trail project, seconded by Councilmember Gray; the vote was unanimous.

5. COUNCIL UPDATES AND DISCUSSION

a. Arts Council Lease

Continuation of discussion surrounding a long-term lease of the Campbell House to the Moore County Arts Council

Town Manager Parsons introduced this item, noting it had been before the council last year but was delayed due to various factors. He explained that the Arts Council was seeking a long-term lease to provide assurance as they fundraise for a significant addition to the Campbell House. The addition would provide elevator access, ADA accessibility to the second floor, and additional gallery and event space. Town Manager Parsons noted that the current lease expired in 2021 and the \$100 cap on repairs was outdated. He invited Chris Dunn and Ray Dunn from the Arts Council to provide updates.

Executive Director Chris Dunn reported that since February, they had raised over \$900,000 of their \$3.5 million goal. They had completed phase 1 of the landscape management plan and received town approval for the architectural compliance permit. Their next steps were to submit site and building plans for approval by July 1st and invite contractor bids. Their goal was to raise \$1 million in construction funds by the end of the year.

Development Director Ray Dunn added that they were designing a small historical gallery in the addition that could potentially house the Wyeth paintings and other historically significant art pieces.

The council discussed options for the lease terms, including:

- Lease length: 25 years was proposed as a compromise between 20 and 30 years
- Repair cost responsibility: A graduated deductible was suggested, starting at \$500 and increasing to \$750 and \$1000 over time
- First right of refusal if the town decides to sell the property
- Allowing the Arts Council use of the second floor if town offices vacated

The council directed staff to draft a new lease incorporating these points for further review. They also emphasized the importance of a long-term lease to assist with the Arts Council's fundraising efforts.

b. Updates Regarding FY26 Budget

Town Manager Parsons provided several updates on the FY26 budget since the previous retreat:

- April sales tax receipts slightly increased revenue projections
- Salary line items were adjusted to 2.5% COLA and 4% merit pool
- Major medical contracts were finalized, reducing the expected increase from 15% to 12%
- A high-deductible health plan option with HSA was added for employees
- County property valuation figures matched previous estimates
- A \$3,200 hand-washing station was ordered for Martin Park
- Staff was developing options for the downtown parking lot redesign

Town Manager Parsons noted that after changes, the available fund balance above 25% was about \$804,000. He requested any final thoughts or additions from the council before preparing the initial draft for public notice.

Councilmember Petersen asked for clarification on the impact of the high-deductible health plan option for employees.

- Town Manager Parsons explained that the town would fund \$2,000 into employees' HSAs over 12 months to help with the \$4,000 deductible. This option could potentially save employees money, especially those covering families.

Councilmember Brandon Goodman requested staff review the feasibility of managing municipal waste and yard waste as an enterprise fund, though not for immediate implementation.

The council agreed to set aside \$125,000 for the downtown parking lot redesign in the budget.

c. Library Discussion

Discussion item requested by Mayor Clement

Library Director Amanda Brown provided an overview of the library's fee structure and outstanding balances:

- The library no longer charges overdue fines, but does charge fees for lost or damaged items
- There is currently \$57,249 in outstanding fees dating back to 1995
- On average, there has been \$5,000 per year in unpaid fees since 2010-2011
- The current processing fee of \$5 for replacing items has not been updated in many years

The council discussed options for addressing old outstanding fees, including:

- Automatically deleting fees older than a certain date (e.g. 20-30 years)
- Allowing forgiveness of fees by request, based on age and amount
- Reviewing the actual costs of processing replacement items to potentially update the \$5 fee

The council directed the issue to the Library Advisory Board for review and recommendations. They also requested that the statute of limitations on debt be researched to inform the discussion.

6. COUNCIL ROUNDTABLE

Councilmember Gray commended the police department for assisting an elderly resident who had locked herself out of her home. She also praised the planning department for addressing a resident's property line concerns.

Planning Director BJ Grieve was recognized for assisting the police department by flying a drone during a significant incident when the regular public safety pilot was unavailable.

7. ADJOURNMENT

Upon motion by Councilmember Petersen, seconded by Councilmember Gray and carried unanimously, Council adjourned at 4:19 pm.

Respectfully submitted:

Elizabeth Robertson, Town Clerk



MINUTES

Thursday, April 3, 2025: 8:30 AM
Town Council Budget Retreat
Southern Pines Fire Station # 82
7381 NC-22, Carthage, NC

1. CALL TO ORDER

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

Thank you to staff for the hard work put into preparing for the budget retreat

a. Opening Remarks

Town Manager Reagan Parsons reviewed the agenda.

- The numbers presented were likely to be adjusted prior to the first budget hearing in May.
- The budget was based on a valuation estimate received a couple of weeks ago, with the final determination from Moore County expected in April.
- Health insurance premiums were currently programmed for a 15% increase, but this was expected to fall to 10-12% range.
- The impact of health insurance changes was estimated at \$17,400 per 1% change, split between utility and general funds.
- Sales tax figures for another month would be available before the May budget.
- Ongoing refinement of costs would continue, including adjustments for things like MPO dues.
- The budget was based on continuation of the existing 29 cent tax rate, no water and sewer rate increases, and solid waste fees as previously discussed.

Parsons noted they would be discussing the municipal service district, water and sewer funds, and then diving into the general fund budget.

2. MUNICIPAL SERVICE DISTRICT

a. Analysis

Options to consider in setting a tax rate for the MSD for FY26

- The MSD was doing well, with more build-out expected.
- Based on current projections, a tax rate of about 80 cents would be needed to cover debt service payments.
- The current rate was 60%.

- There was a carryover of \$522,000 from the previous year due to delays in road completion and loan timing.
- Options were presented to either keep the rate at 80% or lower it to 20% for the coming year, recognizing it would need to increase significantly the following year.

Parsons also presented calculations on future repaving costs for roads within the MSD. Council members discussed whether to lower the rate or maintain it to build reserves for future needs.

There was general agreement to maintain the 80% rate for the coming year.

3. ENTERPRISE BUDGET - WATER AND SEWER FUNDS

a. Line-Item Document

Town Engineer James Michael and Asst. Town Manager/Fire Chief Mike Cameron presented the water and sewer enterprise fund budget.

- No water or sewer rate increases were proposed for the coming year.
- The budget showed expenses increasing 5-6% annually over the next 10 years.
- Capital projects like the water plant and pressure zone improvements were included.
- Existing debt service was shown, with payments starting next year for the Warrior Woods project.
- Revenue projections assumed 2% annual growth in customer base. Cash-only funding would require 5-6% annual rate increases.
- Using loans for major projects could delay rate increases until 2031.
- Small incremental increases now could reduce larger increases needed later.

Town Manager Reagan Parsons discussed the impact of construction costs on projects, referencing a slide used by the Department of Transportation (DOT) in Metropolitan Planning Organization (MPO) presentations. He noted that construction costs had doubled in a two-year period, citing an example of a \$20 million road project that increased to nearly \$40 million. Parsons attributed this significant increase to the pandemic, mentioning that prices had not adjusted back down even as supplies became more available.

Council members discussed the pros and cons of small increases now versus larger increases later.

The council members agreed to proceed with the 2% increase.

4. GENERAL FUND REVENUES

a. Revenue Analysis

Staff presented and distributed the first draft of the revenue analysis at the March 25th work session. Minor adjustments have been made, including FY 25 expected sales taxes.

Town Manager Parsons noted that the budget was in a favorable position, with \$557,000 available over and above the 25% reserve. He mentioned that this was a stronger starting point compared to previous years, allowing for the inclusion of projects that had been left out in recent budgets.

Town Manager Parsons discussed several revenue-related items. He mentioned that planning fees were still open for consideration and could be adjusted without significantly impacting revenue projections. The waste fee was set at 75% for residential and 100% for commercial, based on previous consensus. Town Manager Parsons noted a decrease in video programming revenue due to the decline in cable subscriptions.

He also mentioned potential future revenue sources, including rental fees for the carriage house and decisions regarding the Trackside facility. Parsons emphasized that these were not included in the current budget as the facilities were not yet ready.

- Councilmember Debra Gray inquired about the rental fees for a room next to the train station. Parsons and Assistant Town Manager Jessica Roth acknowledged that the current rental fees were generally low and could be reconsidered. They agreed to bring recommendations for adjusting rental fees to the council in the future.

5. GENERAL FUND EXPENDITURES

a. Line Item Document

Jessica presented a new initiative, SoPines Sustainovates! and received positive support from the Council

Town Manager Reagan Parsons presented a budget summary balance sheet, noting \$557,000 available above the 25% reserve for potential budget adjustments. He then introduced a document titled "94 percent" or "The Big Picture," which Assistant Town Manager Jessica Roth proceeded to explain.

Asst. Town Manager Roth detailed that the document lists expenditures of \$20,000 or higher, either as standalone items or collectively across multiple areas. This threshold aligns with the town's capitalization threshold for capital assets. The document aims to highlight where significant expenditures occur and guide potential adjustments.

Key points from the expenditure discussion included:

1. Department specialized supplies totaling \$666,000 across the entire town.
2. Fewer vehicle replacements this year, partly due to recent police cruiser replacements funded by insurance.
3. Facilities capital requests of nearly \$1 million, addressing long-standing needs.
4. \$300,000 allocated for the design and engineering of a new garage.
5. A \$500,000 general capital reserve transfer for future capital expenses.

Town Manager Parsons elaborated on potential uses for the \$500,000 transfer, including bathrooms for Martin Park, the pool bathhouse, the reservoir dam project, and future vehicle

purchases.

The discussion then shifted to personnel matters:

1. A 3% Cost of Living Adjustment (COLA) is included in the budget
2. Parsons suggested considering an additional 1-2% for the merit pool, estimating an extra 2% for 25% of the year would cost about \$105,000.
3. A proposed compensation and benefit study was discussed, aimed at comprehensively examining current trends in employee benefits and compensation.

b. Big Picture: Expenditures

The expenditures detailed in this document total \$30,898,400, which is 94% of the total expenditures in the Town Manager's recommended budget. This document is created for improved transparency and ease of reviewing the budget and includes:

- Expenditures that hit all or most departments.
- Proposed capital project transfers, debt service payments, leases, SBITAS, and other non-departmental expenditures.
- Single items that meet the Town's \$20,000 capital asset threshold.

Assistant Town Manager Roth presented an overview of the budget expenditures using a document titled "The Big Picture." She explained that the document highlighted items of \$20,000 or higher, representing 94% of the total budget. Roth noted that the remaining 6% consisted of smaller, general office supplies and expenses.

She highlighted that the current budget included fewer vehicle replacements compared to previous years, which contributed to the favorable budget position. Roth also mentioned that the budget included approximately \$1 million for facilities capital requests, addressing necessary renovations and improvements.

Town Manager Parsons added that the budget included \$300,000 for the design and engineering of a new garage facility and a \$500,000 transfer to a general capital reserve for future projects.

The discussion then turned to personnel matters. Parsons mentioned that the budget currently accounted for a 3% cost of living adjustment (COLA) and suggested considering an additional 1-2% for the merit pool. He also brought up the possibility of conducting a comprehensive compensation and benefits study to ensure the town remains competitive in attracting and retaining employees.

Councilmember Petersen expressed skepticism about the study

- Town Manager Parsons and Asst. Town Manager Roth to explain its potential benefits, including identifying trends in benefits and ensuring the town's compensation structure remains competitive.

Town Manager Parsons also explained the complexities of salary ranges and career advancement paths for different positions within the town, noting the challenges in creating clear advancement opportunities in smaller departments.

Town Manager Parsons discussed the challenges of employee retention due to the town's high training standards. He explained that while the town is progressive in providing training opportunities, it also makes employees attractive to outside agencies.

- Councilmember Gray brought up an example of her daughter-in-law's company requiring employees to repay training costs if they leave within a certain period. Parsons responded that while they have considered similar policies, it is extremely difficult to enforce as a public employer and almost not worth it.

Jessica Roth, the Assistant Town Manager, emphasized the importance of organizational culture in employee retention, stating that it's not always just money that people leave or stay for.

The discussion then moved to the topic of a compensation study. Town Manager Parsons explained that the study would analyze data beyond just salaries and provide recommendations. He clarified that it wouldn't likely suggest a blanket percentage increase across the board, but might identify individual positions that need adjustment.

The council discussed the possibility of adjusting the Cost of Living Adjustment (COLA) and merit percentages.

Mayor Clement proposed reducing COLA to 2.5% and increasing merit to 4%. Parsons noted that the current CPI (Consumer Price Index) is around 2.91%, which is why 3% is typical for COLA.

Council supports the merit-based incentives versus COLA adjustments and approves a 2.5% COLA and 4% merit increase for the next fiscal year.

c. General Fund Capital Requests

The Town uses a \$20,000 capitalization threshold, which is the minimum cost at which a purchase is classified as a capital asset rather than an operating expense. This helps focus decision-making on significant, long-term investments, which are then tracked and depreciated over time. The included document summarizes the General Fund capital requests that have been recommended by staff for FY 26. Recommended projects fall across a number of service delivery areas, including facilities, parks & recreation, public safety, transportation, IT, and vehicle/equipment replacements. There is a separate set of capital requests for the utility system, in the Enterprise Fund.

The council discussed various projects and funding options and projects mentioned, which included the pool park, bathhouse, and bathroom at the park. It was clarified that there was a \$500,000 capital reserve transfer available for the council to decide how to spend, likely going towards facility needs. Additionally, there was another \$557,388 in available fund balance that had not been assigned to anything yet.

Town Manager Parsons presented a proposal for improving the block of Broad Street that has become a major entry point to downtown due to recent traffic pattern changes. He

explained that a survey had determined the town's right-of-way extends further than previously thought, including part of the Harbor Place parking lot.

Three concept plans were presented:

1. A pure grass option, estimated at \$41,000
2. An all-brick option with plantings, estimated at \$81,000-\$82,000
3. Various hybrid options between grass and brick

Town Manager Parsons noted that \$80,000 had already been included in the budget for this project as part of the sidewalk fund transfer. He explained that the property owners had been approached about contributing to the improvements but declined, citing their recent investment in a mural.

The council discussed several aspects of the proposal:

- The potential need to notify the property owners not to pave the town's right-of-way during their planned parking lot repaving
- The possibility of enforcing tree replacement requirements for a tree removed by the property owners
- Whether the improvements should include diagonal parking, as seen in other parts of downtown
- Maintenance concerns, particularly for grass areas that are difficult to keep in good condition

The council did not make a final decision on the project but expressed interest in pursuing improvements to the area. They requested more information on hybrid options and potential negotiations with property owners regarding maintenance.

No formal decision was made during this discussion, but the council seemed to be leaning towards the brick option while remaining open to further consideration.

The Council discussed various capital improvement projects and equipment purchases. For transportation, they reviewed a brick project at East New Hampshire to complete the last section of grass. They also discussed the Bennett Street sidewalk, which would be the final section to complete.

The Council then discussed pedestrian safety barriers. Fire Chief Mike explained a three-phase project for safety and communications. Phase one involved purchasing digital signage for construction projects to improve notifications about road closures. Phase two included purchasing a trailer with barricades for the fire department to quickly close roads during emergencies. Phase three involved hardened barricades for events and parades to prevent vehicles from driving on sidewalks.

The Council considered asking the CVB (Convention and Visitors Bureau) for funding assistance for the barricades, potentially as a shared resource with other towns. The estimated cost was \$125,000.

Other capital requests discussed included:

- An F-450 service truck replacement (\$120,000)
- Two tandem dump trucks (not currently budgeted, \$400,000 total)
- Downtown parking lot rehabilitation (\$125,000)

For the downtown parking lot, the Council debated options including repaving, removing the lot to create green space, or a hybrid approach. They requested more information on costs for demolition and sodding to compare options.

For Parks and Recreation, capital requests included:

- Irrigation system replacements at downtown park and pool park
- Tennis court lighting replacement at downtown park (\$215,000)
- Fencing at Morgan Road Optimist Field (\$120,000)
- Park structure repairs and repainting (\$58,000)
- Equipment purchases including a Polaris to replace a John Deere Gator

The Council also discussed a modular restroom facility for the dog park. Some members expressed concerns about the cost and necessity, while others noted the dog park's popularity as a social destination. They requested more information on alternatives.

The Council discussed potentially transitioning some vehicles to electric, particularly for locally-used vehicles like building inspectors. They requested more research on electric police vehicles to discuss at a future work session.

The council discussed several IT-related expenses.

- The first item was a disaster recovery storage area network subscription renewal. Town Manager Parsons explained that they had the option to renew services for an additional year at \$52,500, which was significantly less than the alternative of starting from scratch at \$150,000 for three years. Asst. Town Manager/Fire Chief Cameron clarified that this server was used across all departments for data backup in case of a catastrophe.

- The council also discussed a piece of hardware called an A95, which was unrelated to the backup subscription. Speaker 2 clarified that this was a separate piece of hardware.

- three-year contract renewal with Zen City for \$42,500. Asst. Town Manager Roth explained that this was part of their efforts toward improved communications, transparency, and community engagement. The cost would be recorded as an asset in the IT department, with the annual subscription fee appearing in the debt service.

d. Future Staffing Outlook

At the last budget retreat, Council asked staff to provide information to identify short- and mid-term needs around staffing. Department heads and other leaders have provided key

information for this report. These insights will help inform strategic planning, succession initiatives, and resource allocation to ensure continued operational excellence. This helps to proactively assess resources in order to maintain (and enhance where desired) the quality of services provided to our community.

Town Manager Reagan Parsons presented a spreadsheet tool to the council for analyzing potential town hall or municipal building projects. He explained that based on recent projects, the estimated cost was around \$600 per square foot, which included architectural fees and potentially land acquisition. The spreadsheet allowed for adjusting variables like building size, interest rate, and loan term to see the financial impact.

Parsons noted that a 50,000 square foot building at \$600 per square foot would result in a \$30 million loan. Using a 6.5% interest rate and 30-year term as an example, the first year's payment would be \$1,475,000, equivalent to about 3-4 pennies on the tax rate given current valuations.

- Councilmember Pate suggested tying it to a necessary project like a third fire station to justify increasing taxes.

Assistant Town Manager Cameron noted that any new facility should improve convenience for citizens, potentially creating a "one-stop shop" for various town services.

Councilmember Debra Gray asked if existing buildings would be sold if a new centralized facility was built. Parsons confirmed this was a possibility that would be part of future discussions.

Parsons then presented concept plans for improving the block of Broad Street that has become a major entry to downtown due to recent traffic pattern changes. He explained that a survey revealed the town has more right-of-way than previously thought, extending into the Harbor Place parking lot.

Three options were presented:

- a pure grass option (least expensive at \$41,000 but highest maintenance)
- an all-brick option (currently budgeted at \$80,000-\$84,000)
- potential hybrid options.

Parsons noted they had reached out to the property owner about contributing to improvements, but the owner declined.

Councilmembers discussed the maintenance challenges of grass areas and the potential for negotiating with property owners to maintain landscaping. They also considered the timing of improvements given the property owner's plans to repave their parking lot soon.

6. BOTTOM LINE, ADDITIONAL CONSIDERATIONS, AND OPTIONS

a. 2025-2030 CIP

The 2025-2030 CIP (Capital Improvement Program) was adopted in June 2024 with the FY 24-25 budget. This is a planning tool to help inform decision making around expected capital needs for the next five years. A new CIP for 2026-2031 will be prepared and forwarded with the FY 26 budget for adoption.

b. Facilities Discussion

Discussion of numbers involving construction and future options.

The council discussed various facility-related expenses and needs:

1. Admin Building: A new slate roof was needed, estimated at \$95,000. The council discussed the possibility of using synthetic slate, but it was unclear if this would be cheaper. They also discussed an ADA-compliant ramp, new windows, and a new HVAC system.
2. Finance Building and Fire Station 81: Roofs, carpet, and paint were needed. For Fire Station 81, a kitchen remodel was discussed, including commercial flooring, cabinets, paint, and ceiling tiles.
3. Public Works Garage: A \$400,000 budget was discussed, with \$300,000 for designing and building a new garage and \$92,000-\$100,000 for large lifts to service fire trucks and other large equipment.
4. Pool Park: An irrigation system was budgeted. The bathhouse needed long-term improvements, estimated at around \$400,000, but this was not currently funded. The council discussed the possibility of a dual-purpose facility that could function for both the pool and other events.
5. Recreation Center: Environmental controls and mechanical systems needed replacement. The council discussed the current arrangement with the Boys and Girls Club, who use the facility rent-free but are responsible for day-to-day upkeep.
6. Other facilities: The council briefly mentioned needs for the library, police station, and carriage house renovation.

The council also discussed the possibility of selling some buildings, particularly the finance building, and using the proceeds to improve or build new facilities. They considered the idea of creating something new rather than fixing existing structures.

7. ADJOURNMENT

Councilmember Petersen moved to adjourn the meeting at 2:51 pm, seconded by Councilmember Goodman; the vote was unanimous.

Motion passed.

Respectfully submitted:

Elizabeth Robertson, Town Clerk



**ORDINANCE #3115
AMENDING THE 2024/2025 FISCAL YEAR BUDGET**

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 13th day of May, 2025 that the Operating Budget for the Fiscal Year 2024/2025 be and hereby is amended as follows:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
Water Extension	Salaries & Wages	60-730-0200	\$ 27,669	
Sewer Extension	Salaries & Wages	60-740-0200	\$ 46,860	
Billing & Collections	Salaries & Wages	60-750-0200	\$ 53,970	
Utility Fund	Fund Balance Appropriations	60-397-6000	\$ 128,499	

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of May 13, 2025 as shown in the minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk

M E M O R A N D U M

TO: Town Council
Reagan Parsons, Town Manager

FROM: Tess Brubaker - Speis, Finance Director

DATE: May 8th, 2025

SUBJECT: Closing Cafeteria Fund (CPF 71)

I am requesting the authorization to close the cafeteria fund.

The cafeteria fund was originally established to account for the Town's insurance offerings. The fund balance since fiscal year ending 2021, has been blended into the general fund within the year-end financial statements (ACFR). With the closure, the elected insurances will flow through the General & Utility funds respectively.

Please authorize the closing of the cafeteria fund. In addition, please authorize the transfer of any balances as outlined above.

Thank you in advance for your consideration.

FY 25-26 BUDGET:

Residents Review



Maintains
existing
services &
staff



Tax rate
remains
\$0.29



Capital
projects
funded



Funds new
programs
& projects



25%
reserved
for fund
balance



Funds all
debt
payments

\$30.2M
IN EXPENDITURES

\$2.48M
CAPITAL PROJECTS TRANSFERS

\$7.6M
"RAINY DAY" FUND

\$648K
AVAILABLE FUND BALANCE



Want more detail? View the full budget at sopinesnc.info/budget

\$30.2M Total General Fund expenditures. With an estimated Town population of 16,728, this means we spend about \$1,800 per citizen.

48% Property taxes make up just under half of all General Fund revenues or \$13.4M. Property taxes are the largest source of General Fund revenues.

\$0.29 The proposed rate for property taxes is \$0.29, which is the same rate as last year.

29

99% Property taxes are budgeted at a 99% collection rate, which is based on past receipts. Thank you Southern Pines taxpayers for making your payments on time & in full!

\$6.1M Sales taxes are the 2nd largest source of General Fund revenues, projected to bring in around \$6.13M. This is a little more than 20% of all revenues.



#10 Moore County's tourism industry is ranked #10 in NC for visitor spending. We are the only county in the top 10 that is not located along the coast or in the mountains. This visitor spending helps contribute to strong sales tax revenues.

\$7.6M The Town will reserve \$7.56M in fund balance, which is 25% of expenditures. This is 3 months of expenditures and is similar to “rainy day” savings that many set aside for emergencies.



\$25.25 Residential customers will pay \$25.25 per month for solid waste services effective July 1. This is an increase of \$4.25.

1,000 We expect our environmental services team to collect an average of 1,000 pounds or ½ ton of yard waste per each home served. That’s about the weight of a grand piano, a fully loaded vending machine, or a full-grown polar bear— or about 3,400 tons total.



2,050 The number of recycling subscribers, as of late April. Our “opt-in” recycling subscription will remain at \$10 per month for residential & commercial subscribers, who receive a 95-gallon recycling cart that is collected every 2 weeks.



11k Our water system serves over 11,000 customer accounts.

2% Water & sewer rates will increase 2% effective July 1, 2025.

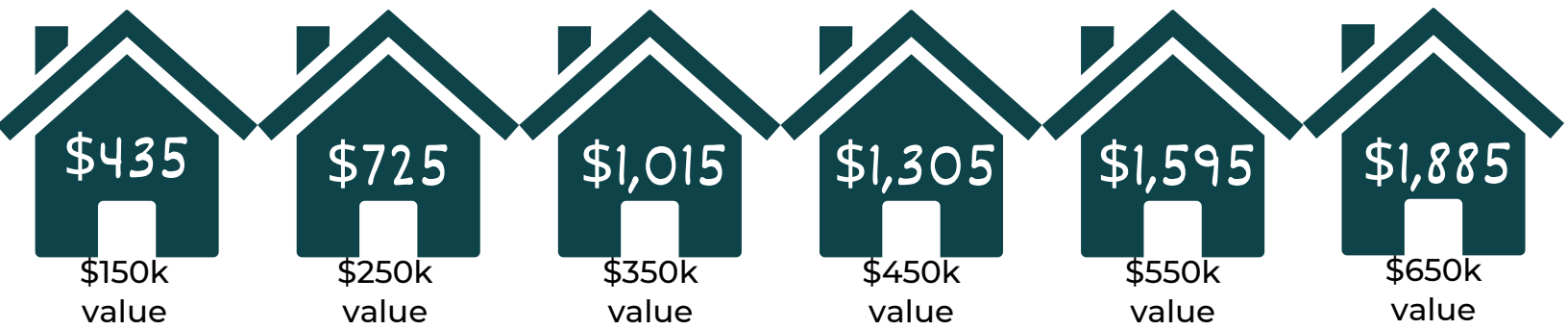
\$1.60 The expected increase in the monthly water & sewer bill for the average customer who uses 5,000 gallons a month. While 5,000 gallons might sound like a lot, it quickly adds up!



- 25 gallons: average water usage for a low-flow showerhead for a 10-minute shower
- 6 gallons: amount of water a typical energy-efficient dishwasher uses per cycle
- 20 gallons: typical water usage for a high-efficiency front-loading washer
- 1.6 gallons: water used for a standard, newer model toilet



TOSP Property Tax Bills with a 29-cent Rate



What is the formula to calculate my property taxes?

Use the formula below to calculate the amount of property taxes owed to Southern Pines in 2025. Moore County also collects property taxes so this formula *only* applies to the portion of the tax bill that is owed to Southern Pines.

\$492,950

ASSESSED VALUE

100

=

\$4,929.50

X

0.29

TAX RATE

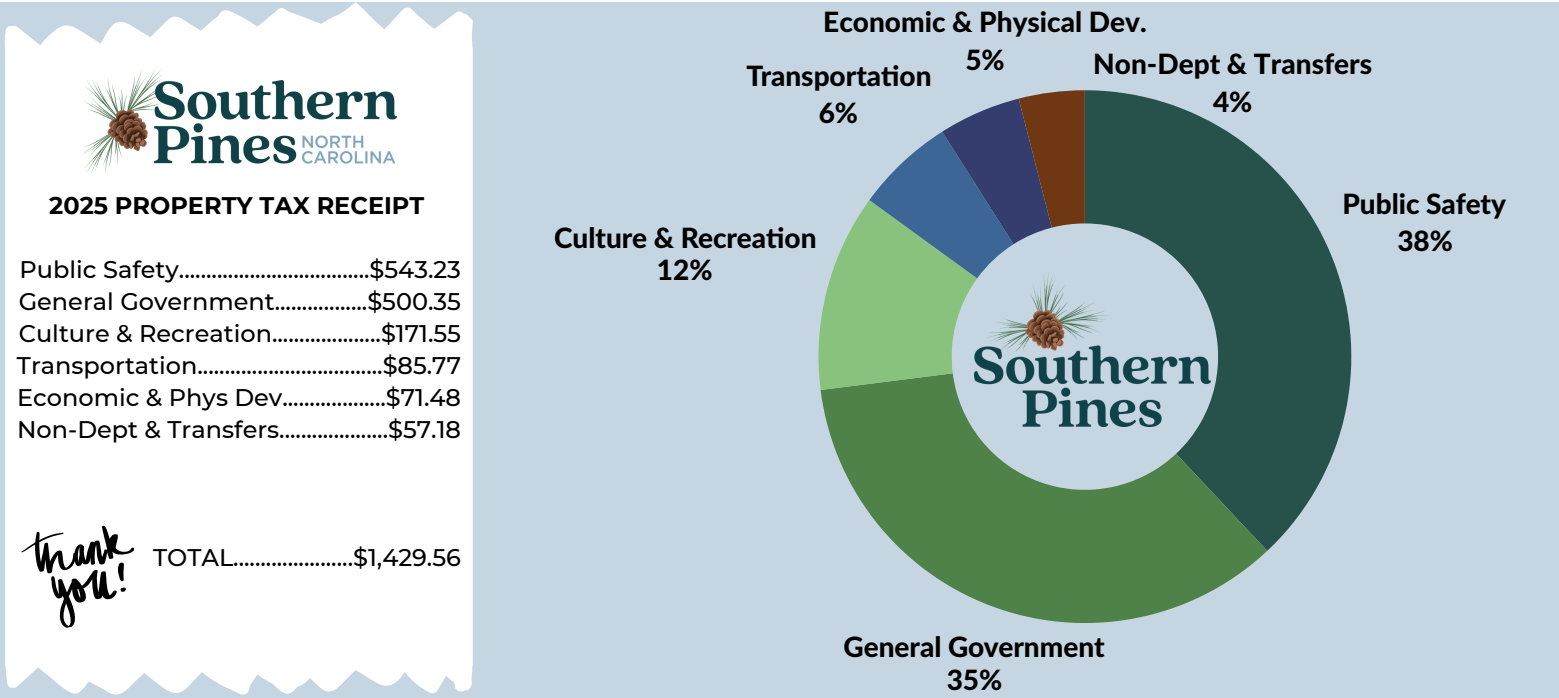
=

\$1,429.56

OWED TO TOSP

How does the Town spend its money?

The budget is based on \$30.2M in expenditures & \$2.5M in capital project transfers between July 1, 2025 and June 30, 2026. If your property tax bill was \$1,429.56 from the formula above, here is a break-down of how your tax payment would be applied toward different expenditures & transfers.



DID YOU KNOW?

There is a "homestead exclusion" that can reduce the amount of taxes certain property owners will pay? There are 3 criteria and ALL must have been met by January 1:

- 1) 65 years or older OR totally & permanently disabled;
- 2) income of \$33,800 or less; and
- 3) Moore County resident who owns & occupies the home.



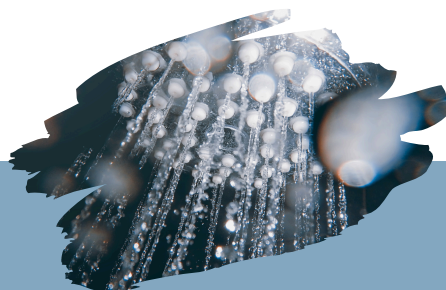
Solid Waste

Fee increases on July 1 to
\$25.25 for residents
\$4.25 increase/month

\$10/month

Voluntary opt-in recycling
program via 95-gallon
recycling cart that is
collected every 2 weeks.

Need a 2nd garbage cart
collected? Opt-in for
\$6.25/month plus a one-time
\$75 fee for the 2nd cart



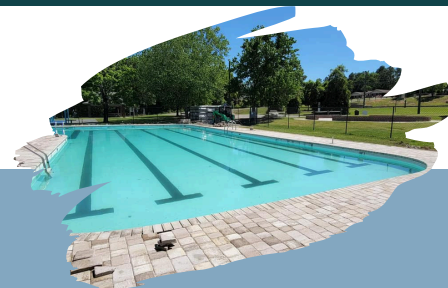
Water & Sewer

\$22.90 base rate
\$0.45 increase/month

2% increase to
consumption rates

\$1.15 increase/month for
average water & sewer
customer
(5,000 gallons)

TOTAL INCREASE of
\$1.60/month for the
average customer



Library & Recreation

Free SPPL cards for
residents & business
owners

Season passes & punch
cards available for pool

Resident discounts on
recreation programs &
rentals



How Can We Help?

Town of Southern Pines
Main Phone: 910-692-7021

Leadership Team

Town Manager: Reagan Parsons
Assistant Town Manager: Jessica Roth
Assistant Town Manager & Fire Chief: Mike Cameron

Administrative Services & HR: Bruce Rosenberger
Finance & Utility Billing: Tess Brubaker-Speis
IT & GIS: Nedra Norton
Library: Amanda Brown
Parks & Recreation: Greg Thompson
Planning: B.J. Grieve
Police: Chief Nick Polidori
Public Works: Cory Albers
Utilities & Engineering: James Michel, P.E.



sopinesnc.info/budget

Agenda Item

To: Reagan Parsons, Town Manager

From: BJ Grieve, Planning Director

Subject: OA-01-25: Various Text Amendments To the Unified Development Ordinance (UDO)

Date: May 13, 2025

I. SUMMARY OF AMENDMENT REQUEST:

The Town of Southern Pines Planning Department is proposing to amend the Unified Development Ordinance (UDO) with a variety of text amendments related to recent changes in North Carolina General Statute (NCGS) per Session Law (SL) 2024-49 (Senate Bill 166). Planning staff is also using this opportunity to propose a suggested change to the Watershed Protection Overlay (WPO) that came from the Division of Energy, Mineral and Land Resources at NCDEQ, and a staff-recommended change to Board of Adjustment voting requirements to improve consistency with state law. The planning staff is requesting Town Council review and approval per UDO §2.17. The proposed amendments are as follows, with reference to applicable section(s) of the UDO:

1. Amend UDO §2.20.6 to add language taken directly from NCGS §160D-804.1(1b), (1C) and (2) to add details about extensions, inspections and releases of collateral for Subdivision Performance Guarantees.
2. Amend UDO §2.39.2(B) with language taken directly from NCGS §160D-1110(h) to make clear that the town may not withhold a Certificate of Occupancy to compel completion of work with respect to another property or parcel unless the town determines a public safety issue, and to further clarify specific things that may NOT qualify as public safety issues.
3. Amend UDO Exhibit 3-14 to add Footnote #6 to enable the transfer of Watershed Exemption Allocation from Moore County to Southern Pines. This change comes as a suggestion from Mr. Shelton Sullivan at Division of Energy, Mineral and Land Resources at NCDEQ because the ability to transfer exemption allocation is not presently written into our local Watershed Protection Ordinance.
4. Amend UDO §4.11.10(B) to add a subsection (2) with language taken directly from NCGS §160D-804(k) to clarify that nothing in the UDO shall limit the use of curb and gutter design standards from NCDOT for subdivision roads “adjacent to, and serving, dwellings subject to the North Carolina Residential Code.”
5. Amend UDO §4.11.10(K) with language taken directly from NCGS §160D-804(c) to make clear that “for Subdivisions of 20 individual lots or less located within the

Extraterritorial Planning Area, pedestrian facilities, including sidewalks, are not required within rights of way for new streets designated as public” that are “to be submitted to the North Carolina Department of Transportation for review, unless the Town accepts long-term maintenance responsibilities by written agreement with the NCDOT prior to construction.”

6. Amend UDO §8.14.4(A) to make it consistent with NCGS §160D-406(i) to reflect that the concurring vote of four-fifths of the Board of Adjustment is needed to grant a variance, whereas a majority of the regular board is needed to decide an appeal.
7. Amend UDO Chapter 9 definitions with language taken directly from NCGS §143-214.7(D) to make the town’s definition of “Built-Upon Area” the same as the state definition.

The specific text of each proposed amendment, along with margin comments providing additional explanation and staff analysis of each change may be found in the attachments to this staff report. Planning staff will also present the proposed changes at the public hearing on May 13, 2025.

II. PLANNING BOARD REVIEW:

At the April 17, 2025 Planning Board regular meeting, a public hearing was held prior to the Board’s motion on text amendments. Planning staff presented a summary of the proposed amendments. No members of the public spoke and there were no questions from the Planning Board. After closing the public hearing, the Planning Board made a motion to adopt a Resolution regarding consistency between the proposed amendments and the Comprehensive Plan, and recommended approval of OA-01-25 to the Town Council. The motion carried unanimously by a vote of 7–0.

III. APPLICATION REVIEW:

A. Review Process for a UDO Text Amendment:

Applications for text amendments are reviewed pursuant to UDO §2.17.

B. Criteria for a Zoning Map Amendment Review:

When reviewing an application for amendments to the text of the UDO, the hearing bodies (Planning Board followed by Town Council) shall consider and be guided by the following criteria, as set forth in UDO §2.17.10.

2.17.10. Criteria for UDO Text Amendments

In its review of an application for a UDO text amendment, the Hearing Bodies shall consider the following criteria. No single factor is controlling; instead, each must be weighed in relation to the other standards.

(A) Consistency. *The text amendment shall be consistent with the adopted Comprehensive Plan.*

(B) 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 cultural places and areas.*

- (C) **Public Policy.** Certain public policies in favor of the text amendment may be considered. Examples include a need for affordable housing, economic development, mixed-use development, or sustainable environmental features, which are consistent with the Town, area, neighborhood, or specific plans.*
- (D) **Other Factors.** The Hearing Body may consider any other factors relevant to a text amendment application under state law.*
- (E) **Impacts.** The Hearing Bodies shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed amendment on the public at large.*

C. Staff Comments:

The proposed amendments to the UDO are depicted on a copy of the UDO that is attached to this staff report using ~~strikeout~~ for deletions and underline for additions. Only the sections being amended are attached. Margin comments that explain the reason for each proposed amendment, as well as the section of NCGS from which each amendment originates, are also included. This package of text amendments is primarily related to recent changes in NCGS, therefore there is no discussion on how each change implements the 2040 Comprehensive Plan. Planning staff is available during regular business hours prior to the Town Council public hearing on May 13, 2025 for questions and/or to discuss any of the proposed amendments. Each topic will be presented to the Town Council and public at the May 13, 2025 Town Council meeting.

The proposed amendments to the UDO are primarily to improve consistency with recent changes in state law. An additional change is simply improving the Watershed Protection Ordinance to allow transfer of exemption allocation, and the final change is to correct an error in the Board of Adjustment voting language in the UDO.

D. Outside Agency Comments:

A request for comment was emailed to representatives from the Regional Land Use Advisory Commission (RLUAC), North Carolina Department of Transportation (NCDOT), U.S. Fish and Wildlife Service, Moore County Airport and representatives of the Town of Southern Pines on March 28, 2025. As of the completion of the staff report on May 8, 2025 no substantive comments have been received. Any responses received from agencies following completion of this staff report but prior to the public hearings will be provided verbally at the hearing.

IV. ATTACHMENTS:

1. Signed Planning Board Resolution Recommending Approval – April 17, 2025
2. Sections of the current UDO with proposed amendments, using ~~strikeout~~ for proposed deletions and underline for proposed additions.

V. TOWN COUNCIL ACTION:

The Town Council shall consider the criteria for text amendments found in UDO §2.17.10, including consistency with the Comprehensive Plan. Per NCGS §160D-605, the Town Council shall approve a brief statement addressing plan consistency and reasonableness of

the proposed amendment. The Town Council may wish to use the following motions for guidance:

I move that after considering the criteria for text amendments found in in UDO §2.17.10, the first of which is consistency with the Comprehensive Plan, the Town Council finds that:

1. **The proposed text amendments are consistent with the Comprehensive Plan and are a reasonable way to implement the Comprehensive Plan for the reasons set forth in the Planning Board's resolution that was included as an attachment to the staff report for OA-01-25;**
2. The proposed text amendment is consistent with the Comprehensive Plan and is a reasonable way to implement the Comprehensive Plan for the reasons set forth in the Planning Board's resolution that is included as an attachment to the staff report for OA-01-25, but with the following edits or additions to the resolution...
3. The proposed text amendment is not consistent with the Comprehensive Plan and/or is unreasonable for the following reasons...

And, therefore, I move to:

1. **Approve OA-01-25 as attached to the ordinance** *(if desired, the Town Council may state any additional reasons you support the proposed amendment, besides those already listed in the Planning Board resolution);*
2. Approve OA-01-25 as attached to the ordinance and with the following additional changes... *(if any changes were made to the proposed revisions, list the changes and reason(s) the text was changed);*
3. Deny OA-01-25 *(the Town Council shall state any reasons for denial of the proposed amendment);* OR
4. Other...



**PLANNING BOARD
RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION
FOR ORDINANCE AMENDMENT APPLICATION
OA-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

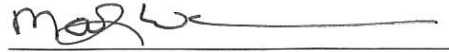
WHEREAS, the Planning Board conducted a duly-noticed public hearing during a meeting held on April 17, 2025 to listen to public comments, ask questions of the Town's Planning staff and to consider ordinance amendment application OA-01-25.

NOW, THEREFORE BE IT RESOLVED that the Planning Board finds and recommends to the Town Council that the revisions to the Unified Development Ordinance (UDO) that have been prepared by town staff are reasonable, in the public interest and are consistent with the Town of Southern Pines Comprehensive Plan (Comprehensive Plan).

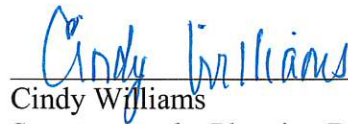
The 2040 Comprehensive Plan identifies many ways to improve the efficiency of providing town services. Multiple policies identify and prioritize opportunities to achieve operational efficiencies that will save taxpayers money over the short- and long-term. To that end, the proposed amendments to be clearer and more consistent with current state statutes and best practices for municipal zoning are in the public interest because greater clarity and legal defensibility in the process of administering local land use regulations results in more efficient and fair public service delivery.

Therefore, the proposed text amendments are reasonable and in the public interest and consistent with the 2040 Comprehensive Plan.

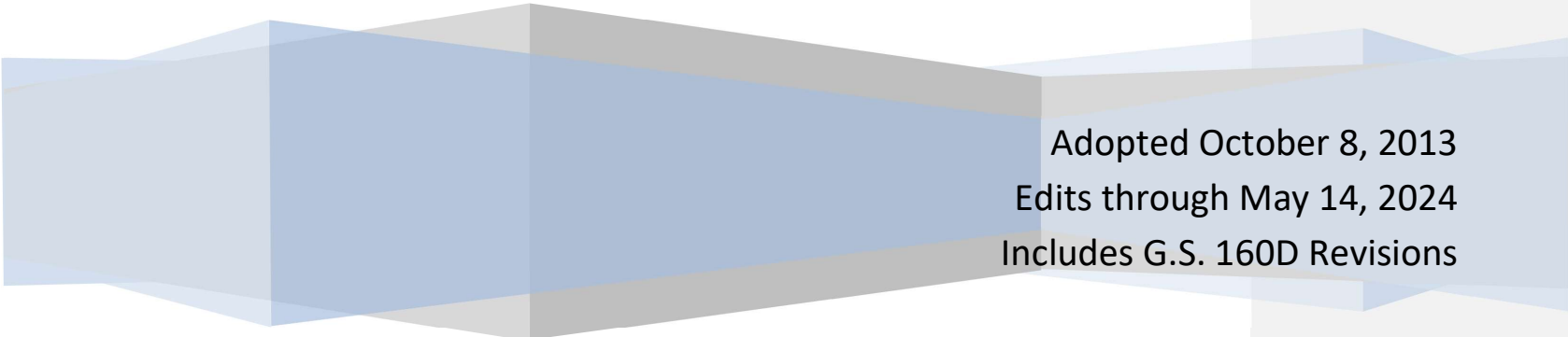
ADOPTED this the 17th day of April, 2025.


Matthew Walden, Chairman

ATTEST:


Cindy Williams
Secretary to the Planning Board

Southern Pines Unified Development Ordinance



Adopted October 8, 2013
Edits through May 14, 2024
Includes G.S. 160D Revisions

- (2) **Inspection Schedule.** It shall be the responsibility of the Applicant to notify the Town Engineer of the commencement of construction of improvements twenty-four (24) hours prior thereto.
- (3) **Compliance with Standards.** The Applicant or the bonded construction contractor shall bear full and final responsibility for the installation and construction of all required improvements according to the provisions of these regulations and the standards and specifications of other public agencies.

(J) Acceptance of Improvements

- (1) Approval of the installation and construction of improvements by the Town Council in accordance with General Statutes and section 100.20 et.seq. of the Town's Code of Ordinances shall constitute acceptance by the Town of the improvement for dedication purposes.
- (2) The Town shall not have any responsibility with respect to any street, or other improvement, notwithstanding the use of the same by the public, unless the street or other improvements have been accepted by the Town Council.
- (3) When improvements have been constructed in accordance with the requirements and conditions of these regulations and the specifications of the Town, and the Applicant has submitted as-built reproducible copies to the Town Engineer, the Town Manager shall recommend that the Town Council accept the dedications and improvements for maintenance by the Town. This shall not apply to improvements maintained by another entity.

(K) Site Cleanup. The Applicant shall be responsible for removal of all equipment, material, and general construction debris from the Subdivision and from any Lot, street, public way or property therein or adjacent thereto. Dumping of such debris into sewers, onto adjacent property or onto other land in the Town is prohibited.

(L) Failure to Complete Improvements. If no Subdivision Performance Guarantee has been executed and no security has been posted, the failure to complete all required public improvements within the period specified by the Town shall result in expiration of plat approvals. If a Subdivision

Performance Guarantee has been executed and security has been posted and required public improvements are not installed pursuant to the terms of the Agreement, the Town may:

- (1) Declare the Subdivision Performance Guarantee to be in default and require that Subdivision Performance Guarantee all public improvements be installed regardless of the extent of completion of the Development at the time the agreement is declared to be in default;
- (2) Suspend Final Plat approval until the public improvements are completed and record a document to that effect with the Town Department of Records for the purpose of public notice;
- (3) Obtain funds pursuant to the surety and complete the public improvements by itself or through a third party;
- (4) Assign its right to receive funds pursuant to the surety in whole or in part to any third party, including a subsequent owner of the Subdivision or addition for whom the public improvements were not constructed, in exchange for the subsequent owner's Agreement to complete the required public improvements; and/or
- (5) Exercise any other rights available under the law.
(Ord. # 1716; Ord. #1919)

2.20.6. Subdivision Performance Guarantee

- (A) Applicability.** The Town Manager may waive the requirement for the completion of required improvements prior to action on the Final Plat if the Applicant enters into a Subdivision Performance Guarantee by which the Applicant covenants and agrees to complete all required on- and off-site public improvements no later than one (1) year following the date upon which the Final Plat is recorded, unless the Developer determines that the scope of work for the required improvements necessitates a longer duration. Such period shall only be extended for a duration necessary to complete the improvements.
- (B) Dedication Required.** If the Applicant chooses to phase a Subdivision or enter into a Subdivision Performance Guarantee in lieu of completing all required improvements, the Town Council may require the Applicant to

dedicate land or complete and dedicate some required public improvements prior to approval of the Final Plat.

- (C) **Preparation of Agreement.** The Applicant shall bear the responsibility to prepare a Subdivision Performance Guarantee. The Town Attorney shall approve any Subdivision Performance Guarantee as to form.
- (D) **Covenants to Run with the Land.** The Subdivision Performance Guarantee shall provide that the covenants contained therein shall run with the land and bind all successors, heirs, and assignees of the Applicant. The Subdivision Performance Guarantee shall be recorded with the register of deeds. All existing lien holders shall be required to subordinate their liens to the covenants contained in the Subdivision Performance Guarantee.
- (E) **Performance Security**
- (1) Whenever the Town Manager permits an Applicant to enter into a Subdivision Performance Guarantee, the Applicant shall be required to provide sufficient security to ensure completion of the required public improvements.
 - (2) The performance security shall be in an amount approved by the Engineering Official as reflecting one hundred and twenty-five (125) percent of the cost of the improvements in the approved Engineering Plan and shall be sufficient to cover all promises and conditions contained in the Subdivision Performance Guarantee.
 - (3) In addition to all other security, when the Town participates in the cost of an improvement, the Applicant shall provide a surety bond from the contractor, with the Town as a co-obligee.
 - (4) The Town Manager is authorized to sign the agreement on behalf of the Town after the Town Attorney has approved same as to form.

(Ord. #1871; Ord. #1919)

- (F) **Type of Security.** The security shall be in the form of a surety bond, a letter of credit, cash, or cash escrow as follows:
- (1) **Surety Bond.** A surety bond shall be executed by a surety company licensed to do business in the state in an amount equal to the cost estimate, as approved by the Town Engineer, of all uncompleted and unaccepted improvements required by these regulations (other

than gas, telecommunications and electric lines), with the condition that the Applicant shall complete such improvements per the terms of the Subdivision Performance Guarantee. The Town Engineer may sign the bond instrument on behalf of the Town, and the Town Attorney shall approve same as to form.

- (2) **Letter of Credit.** The Applicant shall provide an irrevocable letter of credit in an amount equal to the cost estimate, as approved by the Town Engineer, of all uncompleted and unaccepted site improvements (other than gas and electric lines) required by these regulations.
- (3) **Cash or Cashier's Check.** The Applicant shall provide to the Town cash or a cashier's check in an amount equal to the cost estimate as approved by the Engineering Official of all uncompleted and unacceptable site improvements (other than gas and electric lines) required by these regulations. Upon completion of the required site improvements and their acceptance by the Town Engineer, the amount will be refunded to the Applicant by the Town.
- (4) **Cash Escrow.** If security is provided in the form of a cash escrow, the Applicant shall deposit with the Planning Director a cash amount or certified check endorsed to the escrow agent for a face value in an amount of at least the amount specified by the Town Engineer. A surety bond or cash escrow account shall accrue to the Town for administering the construction, operation, and maintenance of the improvements.

(Ord. #1919)

(G) Extension

- (1) The Applicant shall demonstrate reasonable, good-faith progress toward completion of the required improvements that are secured by the Subdivision Performance Guarantee or any extension.
- (2) If the improvements are not completed to the specifications of the Town, and the current Subdivision Performance Guarantee is likely to expire prior to completion of the required improvements, the Subdivision Performance Guarantee shall be extended, or a new Subdivision Performance Guarantee issued, for an additional period.

Commented [BG1]: Taken from NCGS 160D-804.1(1b), which was added in 2019 (SL 2019-79). Since extensions aren't presently addressed in UDO, should be added here.

(3) An extension shall only be for a duration necessary to complete the required improvements.[▲]

(H) Inspection

(1) The Town shall conduct an inspection of the improvements subject to the Subdivision Performance Guarantee within 30 days of a request received from the Applicant and advise the Applicant whether the improvements are completed to the required specifications.

(2) In the event the Town and the Applicant disagree whether a required improvement is completed to the specifications of the Town, the Applicant may obtain a certification under seal from a licensed professional engineer that the required improvements have been completed to the specifications of the Town.

(G)(I) Reduction of Guarantees

- (1) When an Applicant has given security in any of the forms provided herein, and when fifty (50) percent of the required site improvements have been completed and accepted by the Town Engineer, or whenever any segment or segments of the required site improvements have been completed and accepted by the Town Engineer, the Applicant may substitute for the original guarantee a new guarantee in an amount equal to one hundred and twenty-five (125) percent of the cost of the remaining site improvements. The cost estimate shall be approved by the Town Engineer.
- (2) Such new guarantee need not be in the same form as the original guarantee so long as such guarantee is one that is listed herein. However, in no event shall the substitution of one security for another in any way change or modify the terms and conditions of the performance agreement or the obligation of the Applicant as specified in the Subdivision Performance Guarantee.

(Ord. #1919)

(J) Release

(1) The Subdivision Performance Guarantee shall be returned or released, as appropriate, within 30 days upon acknowledgement by

the Town that the improvements for which Subdivision Performance Guarantee is being required are complete, or upon receipt of a certification under seal from a professional engineer that the required improvements have been completed to the specification of the local government.[▲]

(H)(K) Reimbursement. Where oversized facilities are required, the Subdivision Performance Guarantee shall specify a reimbursement procedure.

(Ord. #1919)

(H)(L) Temporary Improvements. The Applicant shall construct and pay for all costs of temporary improvements required by the Town Engineer and shall maintain said temporary improvements for the period specified.

(Ord. #1716; Ord. #1890, 1-6-21)

2.20.7. Development Agreements

(A) **Purpose.** This section promotes and facilitates orderly and planned growth and Development through the provision of certainty in the Development Approval process by the Town and through corresponding assurances by Developers in accordance with G.S. 160D, Article 10. The Development Agreement is intended to:

- (1) Implement the CIP and the conditions of Development Approval
- (2) Eliminate uncertainty in the Development Approval process;
- (3) Assure Applicants that, upon approval of their project, they may proceed in accordance with the policies, rules, and regulations identified in the Development Agreement;
- (4) Achieve the Town's goals and objectives through assurances that public facilities will be provided concurrent with Development;
- (5) Provide a mechanism to allow regulatory flexibility for specific Development proposals that achieve the Town's goals and objectives;

(6) Consistently implement G.S. §160D, Article 10.

(Ord. #1919)

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Commented [BG2]: Taken from NCGS 160D-804.1(1c) with revisions per SL 2024-49 (SB166). Since inspection of improvements performed under a SPG isn't presently addressed in UDO, should be added here.

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Commented [BG3]: Taken from NCGS 160D-804.1(2), with revisions per SL 2024-49 (SB166). Since release of collateral isn't presently addressed in UDO, should be added here.

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2.37.3. Initiation

The Applicant shall submit a complete application for a Building Permit to the Chief Building Inspector.

(Ord. #1919)

2.37.4. Action

- (A) A Building Permit shall be issued by the Chief Building Inspector upon Determination that the application complies with all applicable codes, ordinances and Development Approvals.
- (B) A Building permit shall expire by limitation six (6) months after the date of issuance if the work authorized by the permit has not been commenced. If, after commencement, the work is discontinued for a period of twelve (12) months, the permit shall expire.

(Ord. #1919)

2.37.5. Enforcement

These regulations shall be enforced by the Chief Building Inspector. It shall be a violation of these regulations for any person to change or permit the change in the use of land or Buildings or structures or to erect, alter, move or improve any Building or structure until a Building permit has been obtained under the following conditions.

(Ord. #1919)

2.38. PUBLIC USE RESERVATION**2.38.1. Applicability**

This provision shall apply to any Building permit for which a Site Plan is required and not otherwise subject to the approval of the Town Council where such a Building permit is requested within a planned Right-of-Way for public streets or utilities for which dedication or reservation is not otherwise required, or the planned site of public Buildings or facilities, including but not limited to fire stations, police stations, parks and greenways, schools, utilities treatment, storage, transmission, or collection facilities, and waste disposal facilities shown on the Comprehensive Plan.

2.38.2. Review and Action

The Planning Director shall forward the request to Town Council at its next regularly scheduled meeting. The Town Council shall decide at that meeting whether it wishes to require the reservation. If the Council does wish to require the reservation, it shall have a period of six (6) months in which to acquire the reserved area by purchase or eminent domain. If the Council has not purchased the reservation interest or begun condemnation proceedings within the seven (7) month period, the Building permit Applicant may treat the land as free of the reservation and the permit shall then be issued.

(Ord. # 1716)

2.39. CERTIFICATES OF OCCUPANCY**2.39.1. Purpose**

A Certificate of Occupancy is required to ensure that all applicable requirements have been met prior to the occupancy of a structure or land.

2.39.2. Applicability

(A) A Certificate of Occupancy shall be obtained prior to the occupancy or use of a structure subject to Building Permit requirements. No vacant land shall be occupied or used, except for agricultural uses, and no Building hereafter erected, reconstructed, altered, or enlarged shall be occupied or used until a certificate of occupancy has been issued. All of the requirements and conditions contained in any Development Approvals applicable to the property shall be required to have been met before the issuance of any Certificate of Occupancy.

(B) In order to comply with G.S. 160D-1110(h), the Town shall not withhold a Certificate of Occupancy in order to compel, with respect to another property or parcel, completion of work for a separate permit or compliance with this UDO, unless otherwise authorized by law or unless the Town reasonably determines the existence of a public safety issue directly related to the issuance of a Certificate of Occupancy. For the purposes of this subsection, a "public safety issue" shall not include improvement, installation, placement, repair, or replacement of any of the following:

- (1) Landscaping around dwellings subject to the North Carolina Residential Code within individual lots.
- (2) Landscaping within common areas within a subdivision development.
- (3) Street lighting fixtures within common areas of a subdivision development.

2.39.3. Certificate of Occupancy for a Building

- (A) A Certificate of Occupancy for a new Building or the alteration of an existing Building shall be applied for coincident with the application for a Building Permit.
- (B) Said certificate shall be issued within three (3) days after written request to the Planning Director after the erection, reconstruction, alteration, or enlargement of such Building or part thereof has been completed and has been found to comply with applicable regulations.
- (C) Pending the issuance of a regular certificate of occupancy, a temporary certificate of occupancy may be issued by the Planning Director for a period not exceeding six (6) months during the completion of alterations or during partial occupancy of a Building pending its completion. Such temporary certificate shall not be construed as in any way altering the respective rights, duties or obligations of the owners or of the Town relating to the use or occupancy of the Premises or any other matter covered by this UDO, and such temporary certificate shall not be issued except under such restrictions and provisions as will adequately ensure the safety of the occupants.
- (D) A request for a Certificate of Occupancy for any Change of Use of a Building shall be made in writing at least ten (10) days in advance of such change, and shall be issued within three (3) days after such request if the new use complies with the provision of this UDO.

2.39.4. Certificate of Occupancy for Land

A Certificate of Occupancy for use of vacant land or the change in the character of the use of land, as herein provided, shall be applied for before any such land is occupied or used. A Certificate of Occupancy shall be issued within three (3)

days after the application has been made, provided such use complies with the provisions of these regulations.

2.39.5. Compliance

Certificate of Occupancy shall state that the Building or proposed use of a Building or land complies with all applicable Building and health laws and ordinances and with the provisions of this UDO. A record of all certificates shall be kept on file in the office of the Planning Director.

2.40. FLOODPLAIN DEVELOPMENT PERMIT

2.40.1. Purpose

Floodplain Development Permits shall be required prior to any Development within a Flood Hazard Area as defined in section 4.13 of this UDO.

2.40.2. Designation of Flood Damage Prevention Administrator

The Planning Director is hereby appointed to administer and enforce the provisions of this section and flood hazard regulations of section 4.13 of this UDO. The Planning Director is further authorized to render interpretations of the flood hazard area regulations that are consistent with its spirit and purpose.

2.40.3. Initiation and Action

Application for a Floodplain Development Permit involving any Flood Hazard Area shall be made to the Planning Director prior to any Development activities. The Planning shall issue a Floodplain Development Permit if the application demonstrates compliance with all applicable provisions of this UDO.

2.41. SIGN PERMIT

2.41.1. Purpose

This section documents the procedures for issuance of Sign Permits for Signs that comply with this section and section 4.6 of this UDO.

2.41.2. Applicability

Except as otherwise provided in the Sign regulations of this UDO, no Sign may be erected, moved, enlarged or substantially altered except in accordance with the provisions of this section. Mere repainting or changing the message of a

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Commented [BG4]: Change from SL 2024-49 (SB166). This describes a pretty specific situation. Probably 90% or more of the time these issues are completed or bonded prior to a Final Plat being approved. However, from time to time during the development approval process staff may get a request from an applicant wanting to put off installation of street trees or street lighting until as late as possible. At that moment early in the process, a development may commit to installing street trees or street lights prior to CO when they have money from the sold lot. Unfortunately, once the lot is sold and the home is built, the developer may forget and the builder or builder's manager(s) may not know of the requirement. This leaves staff in an awkward situation later when a family is waiting to move in to their new house and street trees or street lights are missing...neither of which are quick to install. Therefore, since this can't be done now anyways, staff feels it's important to have this new section of state statute clearly stated in the UDO so staff is more likely to see it and less likely to get into those situations.

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- (f) Nursery schools and day care centers.
- (g) Special events.
- (h) The permanent aboveground storage of flammable liquids and gasses.

(D) Interference Prohibited

Notwithstanding any other provisions of these regulations, no use may be made of land or water within any zone established by this section in such a manner as to create electrical interference with navigational Signals or radio communication s between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and other lights, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.

3.6.8. WPO - Watershed Protection Overlay District

(A) Purpose

- (1) The purpose of this section is to describe the Watershed areas and regulations herein adopted. The Town of Southern Pines has within its jurisdiction, a portion of the Protected Area of the Cape Fear River Watershed, classified as a WS-III by the Environmental Management Commission. The Town Council has chosen the Low-Density option as a zoning permit for Development within the Watershed areas. These areas are displayed on the most recent officially adopted version of the North Carolina Dept. of Environmental Quality Water Supply Watershed map, and the following regulations apply to these areas in addition to the other standards established in this UDO. This amendment was adopted June 8, 1993, and was effective beginning July 1, 1993.

(Ord. # 1919)

- (2) G.S. 143-214.5 provides for a cooperative program of water supply Watershed management and protection to be administered by local governments consistent with minimum statewide management requirements established by the Environmental Management Commission. To promote the public health, safety and welfare, the

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governing board of the Town of Southern Pines adopts these Watershed protection regulations effective for all areas designated Watershed Protection Overlay District on the Official Zoning Map.

(B) Applicability and Procedures

- (1) All new Development created after December 15, 1993 is subject to the Water Supply Watershed protection regulations.
- (2) If, at the time of application for a zoning permit, final Development plan or architectural compliance permit, it is determined that the property lies in a water supply Watershed, as shown on the Zoning Map, a Watershed Protection Permit will be required to be issued subject to the procedures established in chapter 2 of this UDO.
- (3) The Planning Director shall serve as Watershed Administrator and shall issue Watershed Protection Permits as prescribed herein. A record of all permits shall be kept on file for public inspection.
- (4) The Town Council for the Town of Southern Pines shall serve as Watershed Review Board and hereby delegates administrative review procedures to the Planning Director.
- (5) The Town Council shall have the responsibility to grant Variances from these regulations in accordance with the provisions of chapter 2 of this UDO. A Variance is required for any allocation of Built-Up-on Area that exceeds twenty-four (24) percent outside of the CB district.

(C) Water Quality Areas

The following Watershed protection areas are established:

- (1) **Critical Area:** The area adjacent to a water supply intake where risk associated with pollution is greater than from the Watershed. The critical area is defined as extending one-half mile upstream from and draining to the Town of Carthage public water supply intake or the ridge line of the Watershed (whichever comes first). The Town of Southern Pines may extend the Critical Area as needed. Major landmarks such as highways or property lines may be used to delineate the outer boundary of the Critical Area if these landmarks

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are immediately adjacent to the appropriate outer boundary of one-half mile.

- (2) **Protected Area.** The area adjoining and upstream of the Watershed Critical Area in which protection measures are required. Unless otherwise modified by the Town, this area corresponds with the State's high quality water (HQW) area. The boundaries of the protected area are defined as extending ten (10) miles upstream and draining to the Cape Fear, lower Little River #2 public water supply intake or the ridge line of the Watershed (whichever comes first). The Town may extend the Protected Area as needed. Major landmarks such as highways or property lines may be used to delineate the outer boundary of the Protected Area if these landmarks are immediately adjacent to the appropriate outer boundary of ten miles.

(D) Development Density and Intensity Requirements

Development shall comply with the density and intensity standards established in Exhibit 3-14. For all calculations of "built upon land area", natural water bodies such as ponds or streams shall be deducted from the total area prior to calculation.

(E) Cluster Development

Clustering of Development is allowed subject to the conditions of section 6.1 and the following conditions:

- (1) Minimum Lot sizes are not applicable to cluster Development projects; however the total number of Lots or Dwelling Units shall not exceed the number of Lots allowed for Developments in the applicable zoning district. Built-Upon Area of the project shall not exceed that allowed for the balance of Watershed.

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- (2) All Built-Upon Area shall be designed and located to minimize storm water runoff impact to the receiving waters and minimize concentrated storm water flow.
 - (3) The remainder of the Tract shall remain in a vegetated or natural state, not to be developed at any future date. Where the Development has an incorporated property owners association, the title of the open space area shall be conveyed to the association for management and maintenance. Where a property association is not incorporated, a maintenance agreement shall be filed with the property deeds and individual property owners shall be responsible for maintenance.
- (F) **Buffers Required**
- (1) A minimum of thirty (30) foot vegetative buffer is required for Development activities along all perennial waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Desirable artificial stream bank or shoreline stabilization is permitted.
 - (2) No new Development is allowed in the buffer except for water dependent structures and public projects such as road crossings and greenways where no practical alternative exists. These activities should minimize built-upon surface area, direct runoff away from the surface waters and maximize the utilization of storm water Best Management Practices.

Exhibit 3-14: WPO District Development Density and Intensity Requirements

Location	Maximum Density or Intensity
Critical Area	New Development shall be limited to either one (1) Dwelling Unit per acre or twelve (12) percent built upon land area.
High Quality Water (HQW) / Protected Area	New Development shall be limited to one (1) Dwelling Unit per acre or twelve (12) percent built upon land area unless (a) the Development disturbance area is less than one (1) acre or (b) BMPs or another approved stormwater management based practices are used. New Development with a Development disturbance area less than one (1) acre shall be limited to two (2) Dwelling Units per acre or twenty-four (24) percent built upon land area. New Development utilizing BMPs or another approved stormwater management based practices shall be limited to two (2) Dwelling Units per acre or twenty-four (24) percent built-upon land area in the Watershed outside of the Critical Area. - For Commercial Projects: New Development requires a state Stormwater Permit if the Development disturbance area exceeds one (1) acre. If the new Development exceeds the twenty-four (24) percent built upon area the project may apply for the 5/70 exemption*. - For Residential Projects: New Development requires a state Stormwater Permit if the Development disturbance area exceeds one (1) acre. If the new Development exceeds the twenty-four (24) percent built upon area the project may apply for the 5/70 exemption*.
Rest of Watershed (WS-III)	New Development shall be limited to two (2) Dwelling Units per acre or twenty-four (24) percent Built-Upon Area. If the new Development exceeds either of these thresholds the project may apply for the 5/70 exemption*.

Table Notes:

*** 5/70 Exemption Allocation for Non-Residential and High- Density Attached Residential Development:** New Development may be developed at up to seventy (70) percent built-upon land area as follows:

- The total area subject to this provision shall not to exceed five (5) percent of Southern Pines' jurisdiction as of July 1, 1993 within the Watershed and outside of the Critical Area.
- Development in the **CB** district shall qualify for this allocation on a first come, first serve basis until the five (5) percent is exhausted.
- Development outside of the **CB** district requiring an allocation of Built-Upon Area shall require approval from the Town Council in conjunction with any Development Approval prior to Building Permit Approval. The allocation may be granted concurrently with Architectural Compliance Permit or Final Development Plan approval and shall be subject to the following criteria:
 - The use and location of the use are consistent with the Comprehensive Plan;
 - The design of the project is appropriate for the location and is consistent with the purposes of the WPO district;
 - The allocation is minimum necessary to establish the use at a size, scale and design that serves the interests of the Neighborhood and the Town as a whole; and
 - The allocation will not detract from the viability of similar uses in the area or other parts of the Town.
- All allocations shall be deducted from the five (5) percent total area allocation and shall be monitored by the Planning Director.

5. If this exemption is granted, a State stormwater permit shall not be required.

5-6. Moore County may transfer part of its right to 5/70 land area within the same water supply watershed to Southern Pines, upon submittal of an approved joint resolution between the Moore County Board of Commissioners and the Town Council and approval by the N.C. Environmental Management Commission

Exemptions: Those areas bounded by a pre- existing natural or permanent obstruction which prevents surface storm water runoff from

Commented [BG5]: This addition was recommended by Mr. Shelton Sullivan, Water Supply Watershed Program Coordinator with the Division of Energy, Mineral and Land Resources at NCDEQ. Mr. Sullivan recommended this addition in an email to Moore County Planning Director Debra Ensminger and Southern Pines Town Manager Reagan Parsons dated December 6, 2024. Moore County and Southern Pines had agreed to transfer 121 acres in the Little River (Intake No. 2) Watershed from Moore County to Southern Pines and a joint resolution to do so was submitted to the N.C. Environmental Management Commission for review. Mr. Sullivan recommended that while not specifically required, the authorization to perform these transfers, authorized per 15A NCAC 02B .0624(7)(c)(v), should be written into Southern Pines' UDO. Moore County has transfers authorized in its UDO, Section 16.9. This language is taken from the aforementioned section of NCAC as well as the 2023 Model Water Supply Watershed Ordinance.

reaching any designated water supply as determined in writing by the North Carolina Division of Water Quality, and the exception would have only an insignificant impact on the available allocation as determined by the Town Council.

All Development shall comply with the provisions of section 4.13 of this UDO.

(G) **Public Health Regulations**

- (1) Public health, in general. No activity, situation, structure or land use shall be allowed within the Watershed, which poses a threat to water quality and the public health, safety and welfare. Such conditions may arise from inadequate on-site sewage systems which utilize ground absorption; inadequate sedimentation and erosion control measures; the improper storage or disposal of junk, trash or other refuse within a buffer area; the absence or improper implementation of a spill containment plan for toxic and Hazardous Materials; the improper management of storm water runoff; or any other situation found to pose a threat to water quality.
- (2) Abatement. The Planning Director shall monitor land use activities within the Watershed areas to identify situations that may pose a threat to water quality.
- (3) Where the Planning Director finds a threat to water quality and the public health, safety and welfare the Planning Director shall institute any appropriate action or proceeding to restrain, correct or abate the condition and/or violation.
- (4) Stormwater runoff from Development should be transported by vegetated conveyances to the maximum extent practicable

3.6.9. FHO - Flood Hazard Overlay

- (A) Purpose
The **FHO** district is established as an overlay district of all general zoning districts for the purpose of protecting people and property from the hazards of flooding.
- (B) Areas of Applicability
The flood hazard districts are further described in section 4.13 of this UDO.
- (C) District Development Standards

Amended

5-14-24

3.7. USE MATRIX AND INTERPRETATION

3.7.1. Table of Authorized Uses Established

Exhibit 3-15 lists the Principal Uses allowed by right within zoning districts as well as uses that may be authorized subject to approval of a Conditional Zoning district or Special Use Permit. Function codes of the Land Based Classification Standards (LBCS) of the American Planning Association (APA) correspond to the authorized uses and shall be used to define uses. All uses are subject to the standards and regulations within this UDO.

- (A) **LBCS Hierarchy.** The LBCS function codes establish a four-digit hierarchy of uses with digits to the right expressing greater specificity. Where no entry appears in the zoning district columns of Exhibit 3-15 (for example 1000, 1100 and 1110), the uses described more specifically in the rows below (1111 and 1112 in the above example) indicate whether or not a specific use is authorized. Where an entry appears in the zoning district columns of Exhibit 3-15 for a general use (for example 2520) and also for a more specific use (for example 2521) within the same classification, the more specific code and its entry shall govern.
- (B) **Zoning Permit Uses.** A “**Z**” indicates the listed use is allowed by right within the respective zoning district subject to issuance of a zoning permit in accordance with the procedures established in chapter 2. Note that standards for development of the listed use may be established in the zoning district standards or elsewhere in this UDO.
- (C) **Supplemental Conditions.** A “**ZS**” indicates that the listed use is allowed by right, but is also subject to supplementary conditions for specific uses set forth in Chapter 5 of this UDO.
- (D) **Conditional Zoning.** A “**CZ**” indicates that the use is only allowed in a Conditional Zoning district in accordance with the procedures established in Chapter 2 of this UDO.

3-34

arrangement, width and location indicated on any official thoroughfare plan for state and local streets.

- (B) Collector streets shall intersect with surrounding collector or arterial streets at safe and convenient locations.
- (C) Residential sub-collector and local streets shall connect with surrounding streets where necessary to permit the convenient movement of traffic between residential Neighborhoods or to facilitate access to Neighborhoods by emergency service vehicles or for other sufficient reasons, but connections shall not be permitted where the effect would be to encourage the use of such streets by substantial through-traffic.

(Ord. #1745, 7-10-18)

4.11.7. Street Connections Required

- (A) Whenever connections to anticipated or proposed surrounding streets are required by this section, the street Right-of-Way shall be extended and the street developed to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single Tract) at the point where the connection to the anticipated or proposed street is expected.
- (B) The Permit Issuing Authority may:
 - (1) Waive the requirement to develop the street when the Right-of-Way is extended, if it is determined that the Development of such street is not practicable.
 - (2) Require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles. However, no temporary dead-end street or cul-de-sac in excess of one-thousand (1,000) feet may be created unless no other practicable alternative is available.

- (3) Authorize the Applicant to pay a fee in lieu of constructing the road connection at the time of Development.

4.11.8. Relationship of Streets to Topography

- (A) Streets shall be related appropriately to the topography. In particular, streets shall be designed to facilitate the drainage and storm water runoff objectives set forth in Sections 4.13 and 4.14, and street grades shall conform as closely as practicable to the original topography.
- (B) The maximum grade at any point on a street constructed without curb and gutter shall be five (5) percent unless no other practicable alternative is available. In no case, however, may streets be constructed with grades that exceed ten (10) percent.

(Ord. #1745, 7-10-18)

4.11.9. Blocks

When any newly created block exceeds six hundred (600) feet in length, the Town may require a cross-block connection to enhance mobility for bicyclists and pedestrians. Such connections shall be at least fifteen (15) feet in width and shall, at the Town's discretion include a sidewalk or Multi-Use Trail that meets the minimum design specifications.

4.11.10. Street Width, Sidewalk and Drainage Requirements in Subdivisions:

- (A) Street rights-of-way shall be designed and constructed in conformance with the provisions listed below unless otherwise allowed for by the Town Council as part of a Special Use Permit or Planned Development application. The Town Engineer may require modifications to these standards based on natural and built conditions to effectively serve the following functions:
 - (1) To safely and efficiently carry motor vehicle traffic;
 - (2) To provide a safe and convenient passageway for bicycle and pedestrian traffic; and

(3) To serve as an important link in the Town's drainage system.
(Ord. # 1919)

(B) Curbs and Gutters.

(1) All streets, except as provided in paragraph (C) and section 4.11.14, shall be constructed with curb and gutter and shall conform to the other requirements of this paragraph. Only standard ninety (90) degree curb may be used, except that concrete roll-type curb shall be permitted along local and residential sub-collector streets within residential Subdivisions. Asphalt raised curb (wedge curb) may be permitted by the Town Council in Subdivision extensions where the existing Subdivision already has asphalt curb in fifty (50) percent or more of the existing footage of streets for the total Development that was approved under a master plan prior to the adoption of the UDO.

~~(B)(2)~~ In order to comply with G.S. 160D-804(k), nothing in this UDO shall limit or prohibit the use of curb and gutter design standards adopted by the NCDOT for subdivision roads adjacent to, and serving, dwellings subject to the North Carolina Residential Code.

(C) Public Streets without Curbs and Gutters. When the Town Council determines that due to site-specific drainage requirements and proposed street grade, shoulders and drainage swales would be more appropriate than curb and gutter, the streets shall be constructed according to the criteria indicated in Exhibit 4-18 or 4-19 as well as the construction standards and specifications in Appendix B. The Town Engineer may require modifications to these standards based on natural and built conditions to effectively serve the functions listed in paragraph (A) of this section.

(1) The standards in Exhibit 4-16, 4-17, 4-18, and 4-19, are minimums. Additional Right-of-Way may be needed to

accommodate the streets due to road design and topographical conditions.

(2) Where curbs and gutters are not used, the installation, maintenance and repair of pipes and culverts under Private Streets, Private Drives and driveways shall be the responsibility of the property owner(s) relying on such access to the Private Street.

(Ord. #1890, 1-6-21)

(D) If a substantial section of a proposed street does not abut property to which pedestrian access from the street will be needed, parking and sidewalks, as required by paragraph A of this section, may be waived by the Town Council. The remaining design standards of this section and the construction standards in Appendix B shall continue to apply.

(Ord. #1890, 1-6-21)

(E) In circumstances when sidewalks otherwise would be required on both sides of the street, an unpaved greenway or multi-use path may be permitted if the Town Council determines that the proposed greenway or multi-use path provides an equal level of service (that paved sidewalks would provide) to the users of the facility. Such a greenway or multi-use path may be substituted for a sidewalk on one or both sides of the street if:

- (1) If located adjacent to private streets, provisions are made that reasonably assures that the greenway or multi-use path will be installed and maintained in perpetuity as private without cost to the Town. If located adjacent to public streets, provisions are made that reasonably assures that the greenway or multi-use path will be installed without cost to the Town and then dedicated for public use; and,
- (2) The Town Manager reviews and approves the appropriateness of the substitution and the adequacy of the provision for installation and maintenance.

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Commented [BG6]: Taken directly from SI 2024-49 (SB166) and inserted where it seems most logical and most likely to be seen and acknowledged by all parties in the future.

- (F) Provision for Bicycles. All streets and stormwater improvements shall be designed to minimize bicycle safety hazards. Where sufficient Right-of-Way exists on collector and arterial streets, the Town may require the Developer to establish bike lanes.
- (G) On-street Parking. On street parking shall not be allowed along public residential sub-collector, collector or arterial streets unless provisions are made for sidewalks or a Multi-Use Trail.
- (H) Whenever the Permit Issuing Authority finds that a means of pedestrian access is necessary from the Subdivision to schools, parks open space, playgrounds or other roads or facilities and that such access is not conveniently provided by sidewalks adjacent to the streets, the Applicant may be required to reserve an unobstructed easement of at least ten (10) feet in width to provide such access.
- (I) In industrial districts sidewalks may be installed on only one side of the street if the Tract being developed provides greenways that satisfy the following conditions:
- (1) The greenway is at least fifty (50) percent of the length of the required sidewalk on one side of the street;
 - (2) They provide reasonable connectivity to streets, sidewalks, and greenways within or adjoining the Development;
 - (3) They are constructed and maintained to the same standards as the Town's public greenways;
 - (4) The public is entitled to use the greenways to the same extent as the sidewalk;
 - (5) Provision is made that reasonably assures that the greenway will be installed and maintained in perpetuity as private without cost to the Town; and
 - (6) The Town Manager reviews the proposed greenway and the provisions for its installation and maintenance and determines that it satisfies the requirements set forth above.
- (J) No fence, wall, Building shrub or tree trunk shall be located within two (2) feet of the outer edge the sidewalk except on commercial local streets.
- (K) In order to comply with G.S. 160D-804(c), for Subdivisions of 20 individual lots or less located within the Extraterritorial Planning Area, pedestrian facilities, including sidewalks, are not required within rights of way for new streets designated as public and to be submitted to the North Carolina Department of Transportation for review, unless the Town accepts long-term maintenance responsibilities by written agreement with the NCDOT prior to construction. Sidewalks are not required on a cul-de-sac serving only Lots of Single-Family residences when either:
- (1) The cul-de-sac is no more than three-hundred (300) feet in length; or
 - (2) The cul-de-sac is more than three hundred (300) feet in length and serves no more than six (6) residences or Lots, and the Planning Department, in consultation with Public Services Department, determines that there is no reasonable possibility that the street Right-of-Way to which the cul-de-sac connects will include a sidewalk.
- (L) Where a previous Special Use Permit was approved with greenways located on street Right-of-Way, greenways may be substituted for sidewalks in those approved greenway locations.
(Ord. # 1919)
- (M) The Town Council may approve alternative sidewalk arrangements in conjunction with planned Development, Subdivision, special use or architectural compliance permit approval. Alternatives include the provision of Multi-User Trails in lieu of sidewalks, location of sidewalks within easements located adjacent to public Right-of-Way or other pedestrian accommodations that adequately provide for pedestrian circulation.

Commented [BG7]: Taken from SL 2024-49 (SB166), this reflects a situation in the ETJ that is now exempted from sidewalks per NCGS 160D-804(c)(5) unless the town accepts maintenance responsibility. Following release of draft text amendments when legal notice was posted, TRC added on April 8, 2025: "unless the Town accepts long-term maintenance responsibilities by written agreement with the NCDOT prior to construction." This is consistent with state statute and allows for a possible situation where a subdivision in the ETJ can provide an addition to a Greenway if the town accepts maintenance responsibility.

Southern Pines Unified Development Ordinance

- (C) Make recommendations in connection with the execution and detailed interpretation of the Comprehensive Plan and this UDO, and make such changes and adjustments in the plan as may be deemed desirable from time to time.
 - (D) Develop and recommend to the Town Council policies, ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner.
 - (E) Recommend, from time to time, legislation which may be desirable to further the purpose of Town planning.
 - (F) Make recommendations to the Town Council concerning:
 - (1) Development and amendment of the Comprehensive Plan and Official Map;
 - (2) Development and amendment of this UDO and a Zoning Map;
 - (3) Planned Development Districts;
 - (4) Special Use Permits;
 - (5) Plats and other land Subdivision; and
 - (6) Development Agreements.
- (Ord. #1919)
- (G) In addition to all other powers and duties provided by the provisions of this UDO, the Planning Board shall have such other powers and/or duties as may be provided by the Town Council.

8.14. BOARD OF ADJUSTMENT

8.14.1. Appointment and Terms of Board of Adjustment

- (A) There shall be a Board of Adjustment consisting of five regular members and three alternates. Three regular members and two alternates, appointed by the Council, shall reside within the Town. Two regular members and one alternate, appointed by the county board of commissioners, shall reside within the Town's Extraterritorial Planning Area. If, despite good faith efforts, sufficient numbers of residents of the

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- Extraterritorial Planning Area cannot be found to fill the seats reserved for residents of such area, then the county board of commissioners may appoint other residents of the county (including residents of the Town) to fill these seats. If the county board of commissioners fails to make these appointments within ninety days after receiving a resolution from the Town Council requesting that they be made, the Council may make them.
- (B) Board of Adjustment regular members and alternates shall be appointed for three-year staggered terms, but both regular members and alternates may continue to serve until their successors have been appointed. Vacancies may be filled for the unexpired terms only.
(Ord. #1981)
 - (C) Regular Board of Adjustment members may be removed by the Council at any time for failure to attend three consecutive meetings or for failure to attend thirty percent or more of the meetings within any twelve-month period or for any other good cause related to performance of duties. Alternate members may be removed for repeated failure to attend or participate in meetings when requested to do so in accordance with regularly established procedures.
 - (D) If a regular or alternate in-town member moves outside the Town or if an Extraterritorial Area regular or alternate member moves outside the Planning Jurisdiction, that shall constitute a resignation from the board effective upon the date a replacement is appointed.
 - (E) Extraterritorial planning area members may vote on all matters coming before the Board.
 - (F) The in-town alternate may sit only in lieu of a regular in-town member and the Extraterritorial Area alternate may sit only in lieu of the regular Extraterritorial Area member. When so seated, alternates shall have the same powers and duties as the regular member they replace.

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Southern Pines Unified Development Ordinance

8.14.2. Meetings of the Board of Adjustment

- (A) The Board of Adjustment shall establish a regular meeting schedule and shall meet frequently enough so that it can hear an application within 30 days of submittal.
- (B) The Board shall conduct its meetings in accordance with the evidentiary procedures set forth in chapter 2 of this UDO.
(Ord. #1919)
- (C) All meetings of the board shall be open to the public and whenever feasible the agenda for each board meeting shall be made available in advance of the meeting.

8.14.3. Quorum

- (A) A quorum for the board of adjustment shall consist of the number of members equal to four-fifths of the regular board membership (excluding vacant seats). A quorum is necessary for the board to take official action.
- (B) A member who has withdrawn from the meeting without being excused shall be counted as present for purposes of determining whether a quorum is present.

8.14.4. Voting

- (A) The concurring vote of four-fifths of the regular board membership ~~(excluding vacant seats)~~ shall be necessary to grant a variance. reverse any order, requirement, decision, or Determination of the administrator or to decide in favor of the Applicant any matter upon which it is required to pass under any ordinance (including the issuance of a Special Use Permit) or to grant any variance. All other actions of the board shall be taken by majority vote, a quorum being present. A majority of the regular board membership shall be required to decide an appeal of an Administrative Decision or Determination or to determine an appeal in the nature of certiorari. For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter under G.S. 160D-109(d) shall not be considered members of the

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board for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.

- (B) Once a member is physically present at a board meeting, any subsequent failure to vote shall be recorded as an affirmative vote unless the member has been excused in accordance with paragraph (C) or has been allowed to withdraw from the meeting in accordance with paragraph (D).
- (C) A member may be excused from voting on a particular issue by majority vote of the remaining members present under the following circumstances:
 - (1) If the member has a direct financial interest in the outcome of the matter at issue; or
 - (2) If the matter at issue involves the member's own official conduct; or
 - (3) If participation in the matter might violate the letter or spirit of a member's code of professional responsibility; or
 - (4) If a member has such close personal ties to the Applicant that the member cannot reasonably be expected to exercise sound judgment in the public interest.
- (D) A member may be allowed to withdraw from the entire remainder of a meeting by majority vote of the remaining members present for any good and sufficient reason other than the member's desire to avoid voting on matters to be considered at that meeting.
- (E) A motion to allow a member to be excused from voting or excused from the remainder of the meeting is in order only if made by or at the initiative of the member directly affected.
- (F) A roll call vote shall be taken upon the request of any member.

8.14.5. Board of Adjustment Officers:

- (A) At its first regular meeting in July, the Board of Adjustment shall, by majority vote of its membership (excluding vacant seats) elect one of its

Commented [BG8]: Somehow this section of our UDO has gotten out of synch with NCGS 160D-406(i) and this amendment will make it consistent with that section of state statute.

Southern Pines Unified Development Ordinance

members to serve as chairman and preside over the board's meetings and one member to serve as vice-chairman. The persons so designated shall serve in these capacities for terms of one year. Vacancies may be filled for the unexpired terms only by majority vote of the board membership (excluding vacant seats).

- (B) The chairman or any member temporarily acting as chairman may administer oaths to witnesses coming before the board.
- (C) The chairman and vice-chairman may take part in all deliberations and may vote on all issues.

8.14.6. Responsibilities

- (A) Power to hear and decide administrative appeals from any order, decision, requirement or interpretation of the Planning Director.
- (B) Power to hear and decide administrative appeals from any order, decision, requirement or interpretation of the Town Engineer or Code Enforcement Officer pursuant to a requirement or other provision in this UDO, but not including any matter related to a technical code referenced in section 2.31 or any engineering design standard.
- (C) Decide upon applications for variances and from flood hazard district overlay requirements.
- (D) Decide upon questions involving interpretations of this UDO or the Zoning Map, including disputed district boundary lines and Lot lines.
- (E) In exercising the abovementioned powers, the Board of Zoning Adjustment may, in conformance with the provisions of these regulations, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or Determination appealed from and may make such order, requirement, decision, or Determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

(Ord. #2052)

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8.15. SPECIAL PROJECT ADVISORY COMMITTEE

8.15.1. Appointment and Composition

- (A) The Town Council may establish Special Project Advisory Committees to assist the Planning Board to carry out its planning responsibilities. Members of such an Advisory Committee sit as non-voting members of the Planning Board, but may participate in formal recommendations by the Planning Board to the Town Council.
- (B) The Town Council also may establish Special Project Advisory Committees as an independent advisory group, committee or commission to make recommendations on any issue directly to the Council.
- (C) An ordinance establishing a Special Project Advisory Committee shall specify the composition and duties of the committee.
(Ord. #1919)
- (D) One or more citizens that are residents of the Town or Extraterritorial Planning Area may be appointed to a Special Project Advisory Committee, to lend their talents, energies and expertise to the Town, to a term defined by the Town Council but not exceeding one year. Members may be appointed to not more than two (2) successive complete terms.
- (E) The Town Council may remove Special Project Advisory Committee members at any time for failure to attend three (3) consecutive meetings or for failure to attend thirty percent or more of the meetings within any twelve (12) month period or for any other good cause related to performance of duties. If a member moves outside the Town or Extraterritorial Planning Area, that shall constitute a resignation from the Committee, effective upon the date a replacement is appointed by the Council.

8.15.2. Responsibilities

- (A) The purpose of the Special Project Advisory Committee is to serve as a body to guide, advise and make recommendations concerning issues related to planning. Advisory Committees provide judicious advice, from a citizen perspective, to the Town Council which is the Town's elected policy-

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Chapter 9. Definitions

9.1. RULES OF INTERPRETATION

9.1.1. Generally

The text within the UDO shall control where there is any conflict between text within the UDO and any caption, illustration or graphic presentation. Unless prohibited by context, reference to any chapter, section or paragraph shall include all portions of that chapter, section or paragraph.

9.1.2. Rules of Construction

- (A) Words used in the present tense shall include the future tense; words used in the singular number shall include the plural number; and words used in the plural number shall include the singular number.
- (B) In computing any period of time prescribed or allowed by the **UDO**, the day of the act, event or default from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday, Sunday or legal holiday, in which event, the period shall run until the end of the next day which is neither a Saturday, Sunday or legal holiday. When the period of time prescribed or allowed is less than ten (10) days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.
- (C) A word importing the masculine gender only shall extend and be applied to female persons and to firms, partnerships and corporations, as well as to male persons.
- (D) The words "may" and "should" are always permissive and never mandatory.
- (E) The word "shall" is always mandatory and not merely permissive.
- (F) The word "month" shall mean thirty (30) calendar days.
- (G) The word "person" shall extend and be applied to associations, clubs, societies, firms, partnerships and bodies politic and corporate, as well as to individuals.

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Chapter 9. Definitions

- (H) Whenever the **UDO** refers to a specific portion of the Code of Ordinances or the **UDO** itself, that reference shall include any subsequent amendment to the referenced portion or any subsequent provision superseding the provision.
- (I) The terms "used" or "occupied" as applied to any land or Building shall be construed to include the words "intended, arranged, or designed to be used or occupied"; the term "existing" as applied to any use, structure, or Development includes the words "existing on the effective date of this UDO."

9.1.3. Responsibility for Interpretations

All interpretations shall be the responsibility of the Planning Director.

9.2. ABBREVIATIONS

As used in this UDO, the following abbreviations shall have the meanings assigned to them in this section.

- (1) **BMP:** Best Management Practices
- (2) **DBH:** Diameter at breast height, which is the diameter of a tree measured four and one-half (4 ½) feet above grade.
- (3) **DENR:** North Carolina Department of Environment and Natural Resources.
- (4) **IESNA:** The Illuminating Engineering Society of North America, a non-profit professional organization of lighting specialists that has established recommended design standards for various lighting applications.
- (5) **NCDOT:** North Carolina Department of Transportation
- (6) **TDS:** Traffic Design Study
- (7) **TIA:** Traffic Impact Analysis
- (8) **TRC:** Technical Review Committee
- (9) **UDO:** Unified Development Ordinance

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Southern Pines Unified Development Ordinance

9.3. DEFINITIONS

As used in the UDO, the following terms shall have the meanings assigned to them in this section. When one or more defined terms are used together, their meanings shall also be combined as the context shall require or permit. All terms not specifically defined shall carry their usual and customary meanings. Undefined terms indigenous to a trade, industry or profession shall be defined when used in such context in accordance with their usual and customary understanding in the trade, industry or profession to which they apply.

Administrative Decision: Decisions made in the implementation, administration, or enforcement of Development regulations that involve the Determination of facts and the application of objective standards set forth in this Chapter or local government Development regulations. These are sometimes referred to as ministerial decisions or administrative Determinations.

Adult Bookstore: An establishment having as a substantial or Significant portion of its stock in trade, books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Area", or an establishment with a segment or section devoted to the sale or display of such material.

Adult Motels and Hotels: A place where motion pictures not previously submitted to or not rated by the Motion Picture Association of America are shown in rooms designed primarily for lodging, which said motion pictures have as the dominator primary theme matters depicting, describing or relating to Specified Sexual Activities.

Adult Motion Picture Theater: An enclosed Building used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas, for observation by patrons therein.

Applicant: A person, including any governmental entity, seeking Development Approval approval or a refund, a waiver or a credit.

Bed and Breakfast Home: A private home of not more than 4 guest rooms that offers bed and breakfast accommodations, and that:

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Chapter 9. Definitions

- (A) Does not serve food or drink to the general public for pay;
- (B) Serves only the breakfast meal, and that meal is served to overnight guests of the business;
- (C) Includes the price of breakfast in the rate; and
- (D) Is the permanent residence of the owner or manager of the business.

Bed and Breakfast Inn: A private home of more than 4 but not more than 12 guest rooms that offers bed and breakfast accommodations, and that:

- (A) Does not serve food or drink to the general public for pay;
- (B) Serves only the breakfast meal, and that meal is served to overnight guests of the business;
- (C) Includes the price of breakfast in the rate; and
- (D) Is the permanent residence of the owner or manager of the business.

Best Management Practices (BMP): A structural or non-structural management-based practice used singularly or in combination to reduce non-point source inputs to receiving waters in order to achieve water quality protection goals.

Boarding House: A residential use consisting of at least one Dwelling Unit together with more than two rooms that are rented out or are designed or intended to be rented but which rooms, individually or collectively, do not constitute separate Dwelling Units. A rooming house or Boarding House is distinguished from a Tourist Home in that the former is designed to be occupied by longer-term residents (at least month-to-month tenants) as opposed to overnight or weekly guests.

Building. Any structure used or intended for supporting or sheltering any use or occupancy.

Building, Accessory or Accessory Structure: A Building or structure that is located on the same Lot as a Principal Building or Structure, used incidentally to a Principal Building or used for purposes that are secondary the Principal Use of the site. For example, a storage shed is considered an Accessory Building when located on a Lot with a Single-Family residence.

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Southern Pines Unified Development Ordinance

Building, Principal or Principal Structure: The Building or structure on a Lot that houses the Principal Use. For example, in the example for the previous definition, the Single-Family home would be the Principal Building

Building Front or Frontage: The length of that side of the Principal Building that faces the street. For corner Lots, the front shall be determined by the Planning Director based on other Development along the faces of the block on which the corner Lot is located.

Built-Up On Area: ~~Built-upon areas shall include that portion of Development project that is covered by impervious or partially impervious cover including Buildings, pavement, gravel roads, recreation facilities (e.g. tennis courts), etc. (Note: Wooden slatted decks and the water area of a swimming pool are considered pervious.) Impervious surface and partially impervious surface to the extent that the partially impervious surface does not allow water to infiltrate through the surface and into the subsoil. In order to comply with G.S. 143-214.7, the following shall not be considered Built-Up On Area or an impervious or partially impervious surface:~~

- ~~(A) A slatted deck.~~
- ~~(B) The water area of a swimming pool.~~
- ~~(C) A surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric.~~
- ~~(D) A trail as defined in G.S. 113A-85 that is either unpaved or paved as long as the pavement is porous with a hydraulic conductivity greater than 0.001 centimeters per second (1.41 inches per hour).~~
- ~~(E) Landscaping material, including, but not limited to, gravel, mulch, sand, and vegetation, placed on areas that receive pedestrian or bicycle traffic or on portions of driveways and parking areas that will not be compacted by the weight of a vehicle, such as the area between sections of pavement that support the weight of a vehicle.~~
- ~~(F) Artificial turf, manufactured to allow water to drain through the backing of the turf, and installed according to the manufacturer's specifications over a pervious surface.~~

Caliper: A standard measure of size for newly planted trees. Caliper refers to the trunk diameter, in inches, at a point six (6) inches above the ground (for trees equal to or less than a 4" Caliper), at a point twelve (12) inches above the

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ground (for trees larger than 4" Caliper), or as defined by the American Standard for Nursery Stock ANSI Z60.1.

Child Care Home: A home for not more than nine orphaned, abandoned, dependent, abused or neglected children together with not more than two adults who supervise such children, all of whom live together as a single housekeeping unit.

Child Care Institution: An institutional facility housing more than nine orphaned, abandoned, dependent, abused or neglected children.

Circulation Area: That portion of the Vehicle Use Area used for access to parking or loading areas or other facilities on the Lot. Driveways and other maneuvering areas (other than Parking Aisles) comprise the Circulation Area

Combination Use: A use consisting of a combination on one Lot of two or more Principal Uses separately listed in Exhibit 3-15.

Compatible/Compatibility - A condition in which land uses or conditions can coexist in a relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition. Compatibility does not require homogeneity, but does consider the relative scale, design and intensity of nearby structures, uses and activities.

Conditional Zoning: A legislative Zoning Map amendment with site-specific conditions incorporated into the Zoning Map amendment.

Conservation Easement: The grant of a property right or interest from the property owner to a unit of government or nonprofit conservation organization stipulating that the described land shall either remain in its natural, scenic, open or wooded state; or be used for agricultural purposes authorized specifically authorized by the easement.

Conversion Schedule: A table submitted with the application for zoning approval identifying the proposed range of conversion between different types of uses within a PD district.

Council or Town Council: The Town Council of the Town of Southern Pines.

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Commented [BG9]: This change makes our definition mimic the language that SB 166 amended into G.S. 143-214.7(D). Note: another way to do this would be to change the definition to simply read "As set forth in North Carolina General Statute." However, a challenge with simply adding "See NCGS" cross-references in local regulations is that many times a person will not then go look up the definition and flip back and forth between a local UDO and NCGS. So the preferred option is to simply have the statutory language here, even though this may then require amendment if the statute changes.

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Agenda Item

To: Town Council

Via: BJ Grieve, Planning Director

From: Alaina Mallette, Senior Planner

Subject: Z-03-25; WP-01-25: Request to Rezone Five Adjoining
Parcels Situated Between SW Service Road and S. Hale
Street from OS to RM-1CD

Date: May 13, 2025

I. SUMMARY OF APPLICATION REQUEST

Trevor Hansen of Koontz Jones Design PLLC, on behalf of Moore HL Properties Inc., has submitted a request to rezone five parcels in between SW Service Road and S Hale Street from Office/Service (OS) to Residential Mixed Housing Conditional Zoning District (RM-1CD) with several proposed conditions. They have also submitted a watershed protection permit and major subdivision preliminary plat to subdivide +2.86 acres of land into 12 single-family 0.04-acre lots, three four-family 0.08-acre lots, and one common area 2.17-acre lot—a total of 16 lots.

II. PLANNING BOARD REVIEW

A public hearing was opened and concluded on April 17, 2025. Planning staff presented a brief description of the subject parcel and reviewed staff's seven unresolved issues. Following staff's comments, Trevor Hansen of Koontz Jones Design/V3, agent for the Applicant, made a presentation to the Planning Board, providing an overview of the proposal.

Four members of the public and an additional authorized agent (i.e., Bob Koontz of KoontzJones Design/V3) also spoke during the hearing. The members of the public who spoke and the Planning Board brought up concerns regarding high density of development, traffic impacts (access, speed and circulation within West Southern Pines/Highway 1, and increased traffic and congestion), monument signage that gives the appearance of gateway signage/name of the development, gentrification and affordability, fencing along S Hale Street, building orientation and height, setbacks, site lighting, and conversion of units to short-term rentals and ownership, generally. The Planning Board asked the Applicants questions regarding these concerns. The Applicant stated that they are not constructing the previously approved 32 units due to grading constraints, so three quadplexes were a feasible alternative to reach the proposed 24 units.

The Applicants discussed their vision for the courtyard cottage community. Regarding traffic concerns, the Applicant stated that 174 trips per day were estimated and that estimate is 72 trips per day less than the current (i.e., 2021) entitlement since there are eight fewer buildings. For signage concerns, the Applicant said that the scale of monument signs was needed for visibility from the high-speed highway, but understood the concern regarding

the community’s heritage and the proposed name and scale of the signage. Gentrification and affordability was a concern, and the Applicant stated that they were integrating differing housing types to encourage mixed income, missing middle housing options as opposed to large apartment buildings.

Regarding fencing along S Hale Street, the Applicant says the image included in the packet appears more opaque than the actual design, and that they were willing to commit to at least 60% transparency along S Hale Street. The Applicant stated that they plan to do “two-sided architecture” on the single-family detached homes along S Hale Street, and that the grade of the land from the existing homes to the proposed development is around 10 feet, so the existing single-story homes would be on level with the second story of the proposed two-story homes. The Applicant clarified the requested setbacks and building separation, and stated that windows from adjacent buildings will be offset. The Applicant stated that site lighting will be subtle, downward-facing path lighting.

Regarding ownership, the Applicant stated that the single-family homes would convey on small lots and that the quadplexes would have one owner with units either condominiumized or rented, depending on the market. The Planning Board and audience were concerned with (short-term and long-term) rental units discouraging long-term residents. With regards to the garages, the ownership was unclear about whether they convey separately or are owned by the proposed homeowners’ association.

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-03-25 as modified during Board discussion and therefore, to recommend approval of Z-03-25 to the Town Council with eleven considerations. The motion carried by a vote of 6-1 with Ms. Wade dissenting. The Board listed eleven additional concerns that it believed were not adequately addressed by the Applicant, which are listed in the Planning Board’s Resolution that is Attachment 1 of this staff report.

III. PROJECT INFORMATION

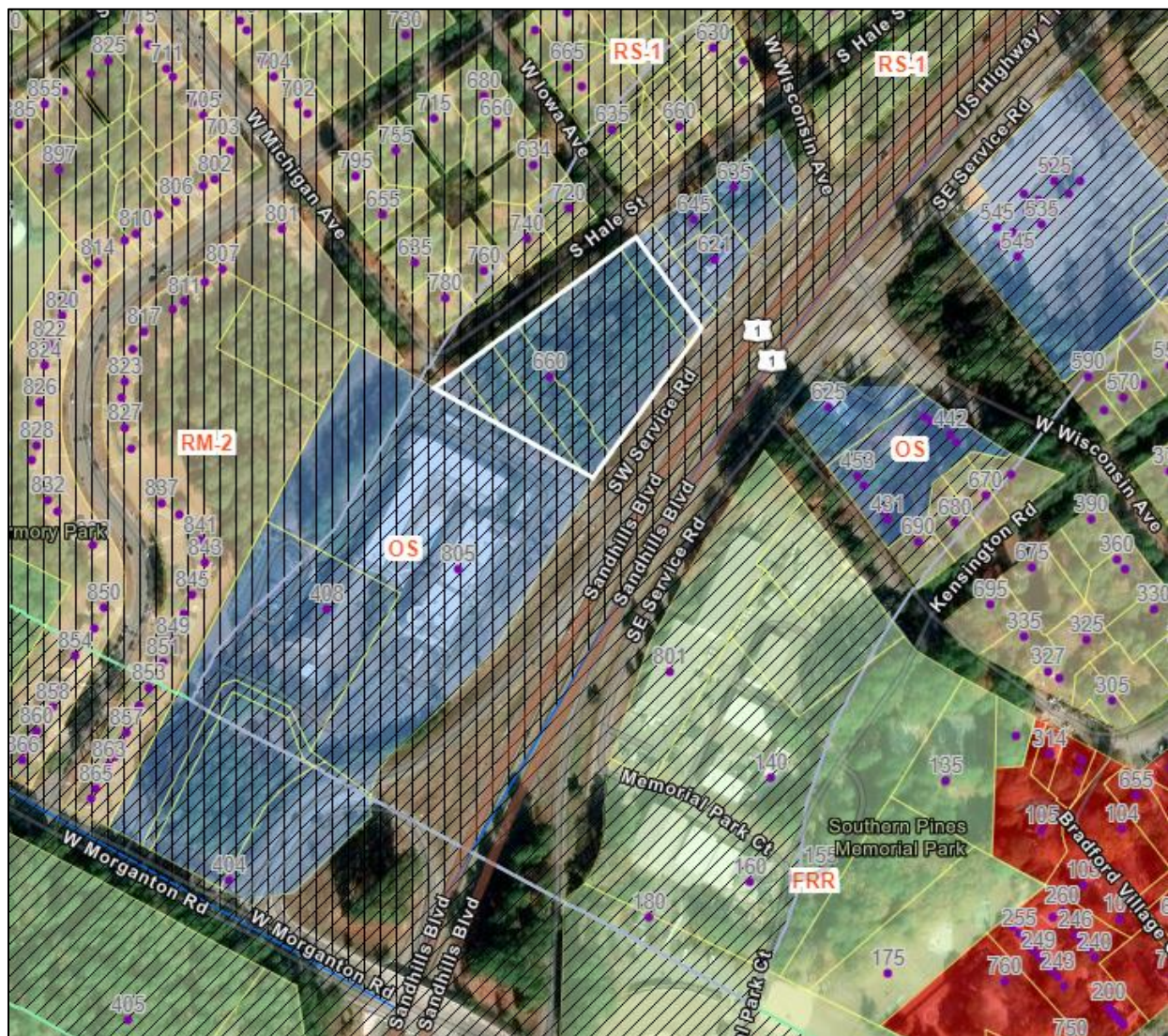
A. Physical Addresses	B. Property Owner/Applicant	C. Authorized Agent
660 SW Service Rd	Travis Greene	Trevor Hansen
PIN 857108887345	Moore HL Properties,	Koontz Jones Design,
(PARID 96000398);	Inc	PLLC/V3
PIN 857108888362	55 Walnut Creek Rd	140 Applecross Rd, Ste B
(PARID 00039171);	Pinehurst, NC 28374	
PIN 857108889334		
(PARID 00033309);		
PIN 857108980445		
(PARID 00039172); and		
PIN 857100981555		
(PARID 20190151)		

D. Existing Zoning

The subject properties are presently zoned Office Services (OS). In 2020, a rezoning request was made on the subject parcels to permit commercial mini- or self-storage, but was deemed inconsistent with the Comprehensive Plan at the time (Z-04-20), thus the rezoning request was denied. There is one prior approved entitlement: a conditional use permit to subdivide the properties into 20 lots, which was approved October 12, 2021. The record states that six rows of buildings with 32 dwelling units (i.e., townhomes) and two office commercial units (i.e., finance and insurance, real estate/rental/leasing, and business/professional services land uses) were approved. 0.3 acres of open space was also approved (see Figure 1).

The subject properties are completely within the Urban Transition Highway Corridor Overlay (HCO), West Southern Pines Overlay (WSPO), and the Little River Watershed Protection Overlay (WPO) for high quality protected waters.

Figure 1. Zoning Vicinity Map of Subject Parcels (Outlined in White). Hashed lines represent WSPO and Urban Transition HCO, which both intersect with the subject parcels. Not shown: WPO, which also intersects the properties.



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, which includes RM-1 zoning as an appropriate rezoning category.

Character District Map Designation: West Southern Pines (WSP). The WSP Character District predominantly contains buildings oriented toward a gridded street network. Mature trees, narrow streets, and low-profile homes on small lots is characteristic to the character district. Single-family detached homes on small lots, courtyard cottages, and stacked quadplexes are all considered appropriate residential building types in the WSP Character District. Development should prioritize infill, mix of uses, buildings one to three stories, and be walk-bike-auto-bus oriented. Regarding open space, there should be trails, common green, play fields, playgrounds, pocket parks, and/or community gardens. Monument and entrance signs are not consistent with the character, but ground signs mounted on poles or posts are consistent.

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 mixed housing districting (i.e., RM-1). RM-1 is considered the Town’s higher-density mixed residential option in the RM districting. Despite the request to rezone to RM-1, the Applicant’s proposed first condition states that up to 12 single-family detached (LBCS 1111) and up to 12 total multi-family dwelling units (i.e., three quadplexes; LBCS 1151) will be permitted.

Since the Planning Board, Planning staff have both corresponded and spoken with the Applicant regarding the Planning Board and the public’s concern. Therefore, Attachment 3 to this staff report contains an updated list of conditions that reflects staff’s suggested edits following the Planning Board hearing. The updated list of conditions now contains 22 conditions for nine design elements. The conditions address development standards, building design, pedestrian connectivity, streets and access, landscaping and existing vegetation, open space, and fencing. See attached list of proposed 22 condition, the Applicant’s narrative, and the preliminary site plan for more details (Attachments 3 through 5, respectively).

Figure 2. Drone Imagery of the Subject Parcels (Facing South)



Z-03-25 Village Walk



Figure 3. Site Plan for Prior 2021 Village Walk Entitlement

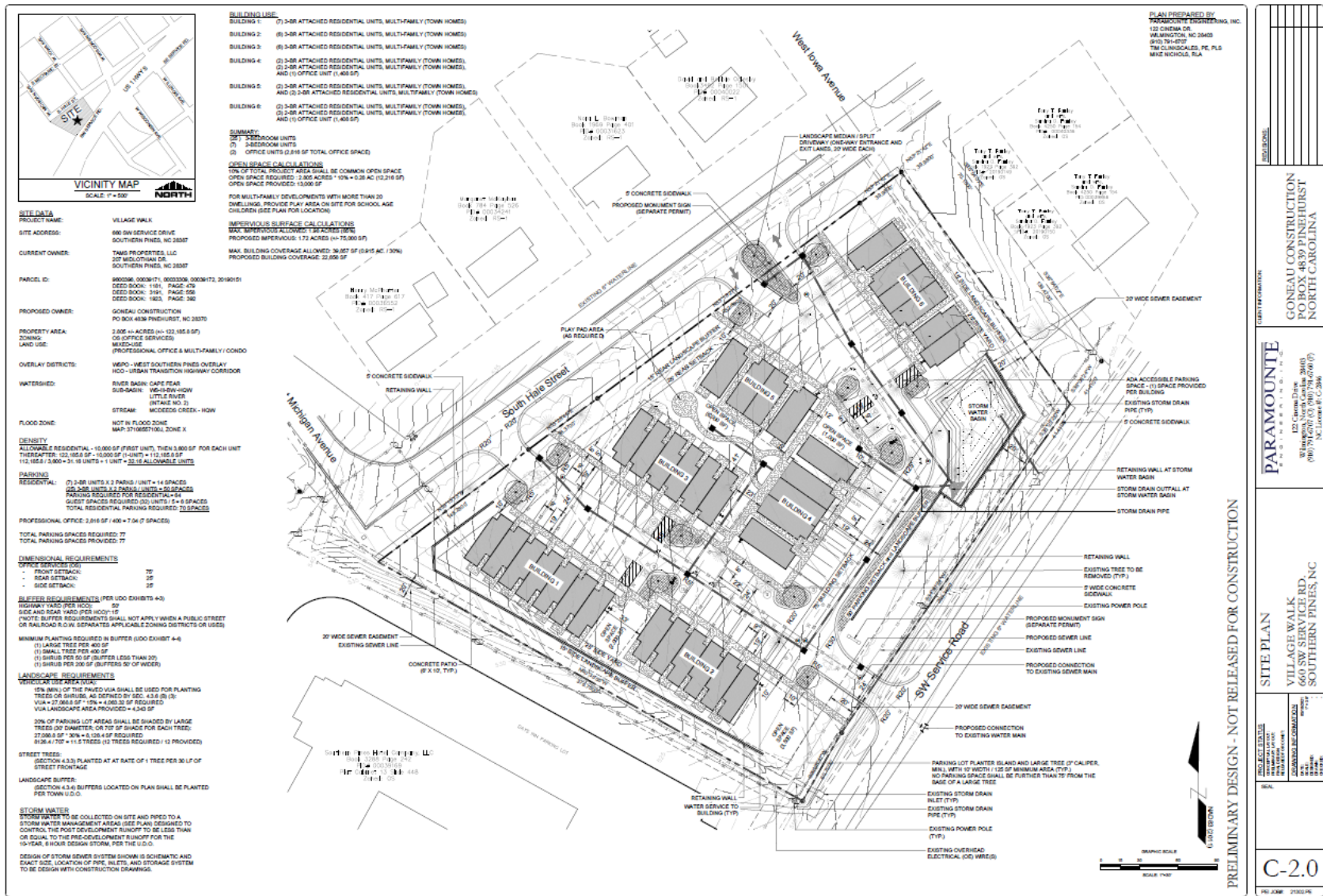


Figure 4. Stacked Quadplexes, Conceptually in the Comprehensive Plan (Left) and As Proposed by Applicant (Right)



Figure 5. Single-Family Detached Home on Small Lot and Courtyard Cottages, Conceptually in the Comprehensive Plan (Left) and As Proposed by Applicant (Right)





Figure 6. Snapshot of the Applicant's Current Conceptual Site Plan and Proposed Subdivided Lots



Planning Board/Staff Consideration	Applicant's Proposed Condition Addressing Concern
Insufficient commitment to retain the existing trees for the 30-foot buffer along SW Service Road, which would help preserve community character.	#19
Fencing along S Hale Street is inconsistent with Comprehensive Plan Policy 7.2 and UDO §4.7(C), which discourages fences in front yards, and should be at least 60% transparent.	#23
Courtyard-oriented (rather than S Hale Street-oriented) homes are inconsistent with Comprehensive Plan Policy 7.2. The Board recommends front-facing façade along S Hale Street or, alternatively, two-sided architecture (i.e., one façade facing S Hale Street and a second façade facing the interior courtyard).	#10
There is no commitment to place the proposed 1.5-story homes with dormer along S Hale Street, which would be more consistent with the low-profile of homes within the West Southern Pines character district.	See Staff Report section IV.2.A/E below
Monument signs along S Hale Street and SW Service Road are not consistent with the WSP Character District or the UDO, and should be limited to up to two four-foot pole-mounted ground signs.	Signage removed
Side and Highway yard buffer planting locations should meander in all cleared areas on each side (as shown in Figure 7) considering an existing 20' sewer utility easement crossing the property lines, the proposed vehicle use areas (VUA) abutting the buffer, and proposed fences and building locations.	#16 See Staff Report section IV.2.A/E and B below
Inadequate looping of water main lines throughout the site. The conceptual utility plans should be updated.	Troublesome utility plan removed, will design at site plan
Traffic (i.e., patterns, congestion, and safety) impacts within West Southern Pines and along U.S. Highway 1.	#13 and #14
Impacts on existing infrastructure, especially water pressure.	See staff report section IV.2.D.3 below
"Village Walk" as a development name is not consistent with the heritage of West Southern Pines.	No signage proposed
Quadplexes would preferably be for-sale condominiums rather than rental properties to encourage long-term residents.	See Staff Report section IV.2.A/E below

IV. STAFF REVIEW

1. Application Review Dates

Pre-Application Meetings: **November 2023** and **October 2024**

Application Submitted: **March 10, 2025**

Application Complete: **March 17, 2025**

Updated Materials Submitted: **April 2, 2025**

Updated Materials Submitted: **May 2 and 5, 2025**

Technical Review Committee Meeting: **March 18, 2025**

Planning Board Public Hearing Notice

Publication: **April 2, 2025** and **April 9, 2025**

Mail: **March 28, 2025**

Signage: **April 1, 2025**

Internet: **March 27, 2025**

Planning Board Agenda Meeting: **April 10, 2025**

Planning Board Regular Meeting: **April 17, 2025**

Town Council Public Hearing Notice

Publication: **April 30, 2025** and **May 7, 2025**

Mail: **April 25, 2025**

Signage: **April 1, 2025**

Internet: **April 24, 2025**

Town Council Regular Meeting: **May 13, 2025**

2. Staff Consistency Evaluation Based on Criteria for the Rezoning of Subject Parcel for Zoning Map Amendment Review per UDO § 2.17.9¹

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

*(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 “2040 Comprehensive Plan Designation for General Framework, Conservation and Development, and Character Districts” above for more information. Generally speaking, this area of SW Service Street and S Hale Street, 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 allow both single-family detached dwellings (LBCS 1111)—similar to what is all around it—and quadplexes (LBCS 1151) at about double the density of the existing blocks within the surrounding area, which is also consistent with Policy 7.1 Support Housing Diversity in the Community. The project transitions from the quadplexes along SW Service Road to the single-family homes on small lots along S Hale Street.

¹ 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.

The site would include partially undisturbed street trees along S Hale Street and SW Service Road, as practicable (see Figure 1). No specific vegetation has been marked for protection, which means there is no assurance on which trees will be protected, but this will be reviewed during site plan review. The Applicant is proposing a system of sidewalk connections throughout the development and pocket parks connecting to new proposed sidewalk along S Hale Street, which is consistent with the area's vision to have interconnected usable open space.

Although zoning does not regulate ownership patterns, the 2040 Comprehensive Plan does address concerns related to short-term rentals (i.e., tourist homes). Although tourist homes provide diverse lodging options and economic benefit to property owners, it impacts resident quality of life, parking, affordable housing, transportation, and town services. Tourist homes are NOT currently permitted in RM-1 zoning. The Applicant could offer an HOA restriction on tourist homes, if it were to ever be permitted in RM-1 zoning.

Furthermore, comprehensive Plan Policy 7.2 states that (1) the scale of homes and spaces between them should convey a welcoming environment, including maximum fence height and minimum materials and landscaping; and (2) similar home types and styles should face each other on a street. The proposed 26' 6" home would be most appropriate along S Hale Street considering the low-profile of the homes within the surrounding area. The Applicant considered restricting several homes along S Hale Street to the 26' 6" design, but had concerns regarding marketability, so opted not to include a condition.

Parking within WSP Character District is envisioned to be street, public lot, or driveway access, not a private lot as is proposed. However, the housing density, surrounding area, and site design—especially the inclusion two-story garages—are all factors to consider when determine appropriateness of proposed parking. All parking spaces are on the edges of the site with the buildings facing the center courtyard. Planning believes that effective landscaping for stormwater management and disturbed utility easement landscaping would reduce the impact of the private lot and building rear elevations on adjacent properties (see Figure 7).

The Applicant's condition regarding cleared areas planted to buffer standards states "...side yard buffers shall be allowed to meander into all cleared areas." Planning believes the condition should remove "be allowed to" to simply be required. Additionally, the Applicant has stated to staff that they want to wait until site plan review to commit to any landscape within proposed stormwater and disturbed utility easement areas.

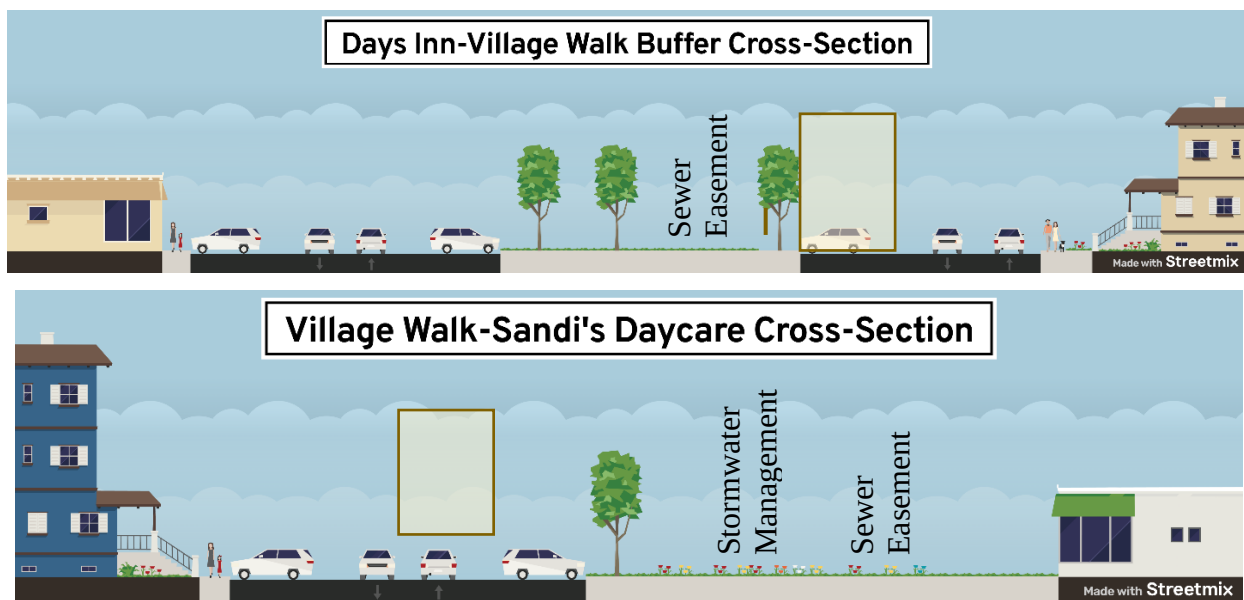
In summary, the proposed conditional zoning district is mostly consistent with the 2040 Comprehensive Plan's vision of adding a mixture of housing densities and protecting some of the existing trees on the site, but falls short on two elements: low-profile homes along S Hale Street and commitment to plant landscaping and wildflowers in disturbed utility easement areas and the proposed stormwater area.

(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.*

A buffer reduction is requested in the highway yard from the required 50' to 30', considering the location of the sewer utility easement. There is also requested reduction in the minimum 25' side buffers to a proposed minimum of 15'. Simultaneously, there is (1) already a 20' sewer utility easement crossing the property line that cannot have deep-rooted plantings like shrubs or trees, (2) a proposed vehicle use area (VUA) abutting the buffer, and (3) a proposed fence. Considering these reductions and constraints, staff believe plantings in the stormwater pond and utility easement that do not impact function—such as wildflower mixes, grasses, trees, and shrubs—would be appropriate to meet the intent of the landscaping code and match neighborhood character. The Applicant has stated a willingness to address these concerns during site plan review once the stormwater facility has been designed.

Planning staff do not find any additional negative impacts, especially considering the Applicant's proposed conditions, narrative, conceptual site plan and subdivision preliminary plat.

Figure 7. A Conceptual Cross-Section from the Edge of the Days Inn Hotel and Sandi's Daycare to the Proposed Cottages²



² (Figure prepared by Town Staff)

(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 for uses linked to office services, which permits more land uses (residential and commercial) than what the Applicant is proposing. The previous entitlement was approved in October 2021 when it was under previous ownership, and sold entitled to the current landowner. 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 five health, safety, or welfare concerns that have been shared with Planning staff by referral agencies and the public at this time, and are as follows:

1. **Regional Land Use Advisory Commission (RLUAC) Comments.** RLUAC identified the properties as “Important Areas to Protect” due to their location within the watershed’s high-quality water drainage area. RLUAC suggests that the Applicant limit stormwater runoff impacts. The Watershed Protection Permit would permit up to 70% impervious surface on the site, if approved. The Applicant is proposing less than the maximum allocation permitted, if approved, i.e., 58% impervious surface. Furthermore, the Applicant will be required to keep the current runoff for a heavy rain event at or below the current rate, and the Applicant intends to do so with an on-site stormwater pond. Therefore, staff believe that this concern has been properly mitigated.
2. **NC DOT Comments.** The NC DOT’s comments are in Attachment 6 for reference. Town staff have noted all of the NC DOT comments and will ensure that all requested information is submitted with the engineered site plan, which is reviewed by the Technical Review Committee following rezoning and major subdivision approvals.
3. **Water Pressure.** The Public Works Superintendent and the Town Engineer have stated to Planning staff that the surrounding area is unlikely to experience any noticeable drop in water pressure due to sufficient capacity and flows. If residents experience a drop in water pressure, they should reach out to the Public Works department as it may be an indicator of a different issues.

4. **Water Line Looping.** The Applicant has withdrawn their conceptual utility plan so that they can submit a fully engineered plan during site plan review. There are existing water and sewer lines adjacent and within the site.
5. **Traffic.** The Applicant stated in the first hearing that there will be an estimated 174 average daily vehicular trips. A traffic design analysis is required by the UDO when 200 average daily trips are estimated, therefore, one was not requested by the Public Works Department. It is inevitable that future residents within the Village Walk community will transverse the West Southern Pines community in addition to SW Service Road. The community is likely to feel the impacts considering the presence of new residents in the neighborhood.

Based on the application materials and routine analysis of the subject parcels and surrounding areas, staff believe that health, safety, and welfare concerns can be properly addressed during site plan review with the Technical Review Committee. Therefore, no additional concerns have been noted.

*(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 five parcels, totaling approx. 2.86 acres. Planning believes that 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.*

*(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 on the rezoning application was emailed to agencies on March 20, 2025; and for the major subdivision preliminary plat on March 27, 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 submitted a letter dated March 22, 2025, and follow-up email on March 28, 2025, and NCDOT submitted an email on April 7, 2025 (see Attachment 6), which have been discussed in section III.3.D of this report.

The application was discussed with members of the Technical Review Committee on March 18, 2025. All comments have been reflected in section III.3 of this staff report. Any additional agency or public comment received prior to the public hearing will be shared during staff's presentation.

4. Staff Comment Recommendation³

Planning staff recommend that the hearing bodies approve with the conditions on the Residential Mixed Housing (RM-1) Conditional Zoning District—as shown in Attachment 3—as well as the watershed protection permit.

V. ATTACHMENTS⁴

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

1. Draft Planning Board Resolution
2. Zoning Map Amendment (Conditional Zoning District)
3. Applicant's Proposed Conditions on Conditional Zoning District
4. Narrative
5. Site Plan
6. Agency and Public Comments
7. Applicant's Neighborhood Meeting Report

³ 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).

⁴ 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 ACTION⁵

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 to the Town's Zoning Map and after considering the applicable criteria 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 current character of the West Southern Pines Character District and the criteria set forth in UDO §2.17.9. For reasons mentioned in the written Planning Board recommendation, the proposed rezoning is consistent with the 2040 Comprehensive Plan. Therefore, the requested rezoning from OS to RM-1 Conditional Zoning District is a reasonable request.**

And, therefore, I move to⁶:

- 1. Approve WP-01-25 for 2.86 acres of exemption allocation and approve Z-03-25 with the 22 conditions submitted by the applicant dated May 5, 2025 on the RM-1 Conditional Zoning District.**

-OR-

2. Approve WP-01-25 for 2.86 acres of exemption allocation and approve Z-03-25 with the following modifications made by the Town Council and accepted by the applicant:

- (1) Remove "be allowed to" from proposed Condition 16 under Landscape Buffer Reduction, and add "Within the stormwater facility, a mixture of native wildflowers and shallow-rooted, water-tolerant shrubs and trees shall be planted dependent on design, as practicable."

- (2) At least four of the proposed seven single-family detached homes along S Hale Street shall be a maximum of 25 feet while the other eight single-family detached homes shall be permitted to have up to two (2) stories and a maximum building height of 35 feet.

- (3) _____

-OR-

3. Deny Z-03-25.

⁵ 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.

⁶ 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-03-25**

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 April 17, 2025, to listen to public comments, ask questions of the Town’s planning staff, and consider zoning map amendment application #Z-03-25.

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 generally 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 with the Applicant’s twenty-one proposed conditions for the five subject parcels located between SW Service Road and S Hale Street identified as Parcel Identification Numbers 96000398, 00039171, 00033309, 00039172, and 20190151, totaling 2.86 acres.

This area of SW Service Street and S Hale Street is considered a Neighborhood area to be enhanced and is anticipated to provide different home types (i.e., missing middle housing) on different lot sizes with a connected network of open space. Proposed development should be sensitive to the uses, densities, location, character, and views from surrounding homes and neighborhoods. The proposed conditional zoning district would allow both single-family detached dwellings (LBCS 1111)—similar to what is all around it—and quadplexes (LBCS 1151) at a density greater than the surrounding area, which is consistent with Policy 7.1 Support Housing Diversity in the Community. The Applicant is proposing a system of sidewalk connections throughout the

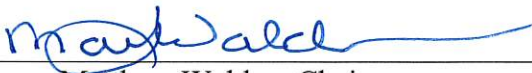
development and pocket parks connecting to new proposed sidewalk along S Hale Street, which is consistent with the area's vision to have interconnected usable open space.

For these reasons, the application and the Applicant's proposed conditions for a RM-1 Conditional Zoning District is generally consistent with the 2040 Comprehensive Plan's vision. However, the Planning Board finds that the Applicant should adequately address the following eleven issues related to Comprehensive Plan consistency as well as reasonably foreseeable adverse impacts on neighboring lands and on general health, safety, and welfare.

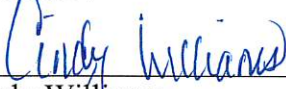
1. Insufficient commitment to retain the existing trees for the 30-foot buffer along SW Service Road, which would help preserve community character.
2. Fencing along S Hale Street is inconsistent with Comprehensive Plan Policy 7.2 and UDO §4.7(C), which discourages fences in front yards, and should be at least 60% transparent.
3. Courtyard-oriented (rather than S Hale Street-oriented) homes are inconsistent with Comprehensive Plan Policy 7.2. The Board recommends front-facing façade along S Hale Street or, alternatively, two-sided architecture (i.e., one façade facing S Hale Street and a second façade facing the interior courtyard).
4. There is no commitment to place the proposed 1.5-story homes with dormer along S Hale Street, which would be more consistent with the low-profile of homes within the West Southern Pines character district.
5. Monument signs along S Hale Street and SW Service Road are not consistent with the WSP Character District or the UDO, and should be limited to up to two four-foot pole-mounted ground signs.
6. Side and Highway yard buffer planting locations should meander in all cleared areas on each side (as shown in Figure 7) considering an existing 20' sewer utility easement crossing the property lines, the proposed vehicle use areas (VUA) abutting the buffer, and proposed fences and building locations.
7. Inadequate looping of water main lines throughout the site. The conceptual utility plans should be updated.
8. Traffic (i.e., patterns, congestion, and safety) impacts within West Southern Pines and along U.S. Highway 1.
9. Impacts on existing infrastructure, especially water pressure.
10. "Village Walk" as a development name is not consistent with the heritage of West Southern Pines.
11. Quadplexes would preferably be for-sale condominiums rather than rental properties to encourage long-term residents.

The Planning Board recommends the Town Council adopt this zoning amendment (i.e., #Z-03-25), which rezones the properties from OS to RM-1CD (Conditional District) with the conditions submitted by the Applicant and attached to the Planning Department's staff report and with consideration of the eleven issues listed in this resolution.

ADOPTED this the 17th day of April, 2025.


Matthew Walden, Chairperson

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: 660 SW Service Rd. Southern Pines, NC 28387

PIN: 857108887345; 857108888362; 857108889334; 857108980445; 857100981555 Parcel ID: 96000398; 00039171; 00033309; 00039172; 20190151

Site Size: 2.86 Acres

Current Zoning: OS

Applicant:

Name(s): Moore HL Properties

Email: CarolinaBuilder@gmail.com

Phone: 910-295-5973

Mailing Address: 55 Walnut Creek Road, Pinehurst, North Carolina 28374

Authorized Agent, if different from Applicant:

Name(s): Koontz Jones Design, PLLC

Email: thansen@koontzjones.com

Phone: _____

Mailing Address: 140 Applecross Rd, Suite B Pinehurst, NC 28374

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

Name(s): Moore HL Properties

Email: CarolinaBuilder@gmail.com

Phone: 910-295-5973

Mailing Address: 55 Walnut Creek Road, Pinehurst, North Carolina 28374

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 RM-1 - 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: 03/10/2025


Applicant

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

APPOINTMENT OF AGENT

The undersigned owner(s), Moore HL Properties, hereby appoint(s) Koontz Jones Design 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:

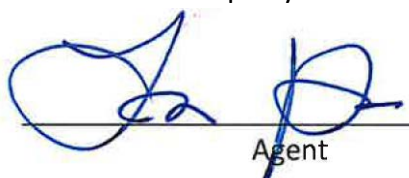
1. to submit an application and required supplemental materials;
2. to appear at public meetings and give representation and comments on behalf of the owner(s);
3. to accept conditions or recommendations made by the Town of Southern Pines Planning Board and Town Council for a rezoning of the subject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



Property Owner

Property Owner


Agent



Watershed Protection Permit Application

Date Received: _____

Case No.: WP-_____-____

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

Project Information:

Project Name: Village Walk Townhomes Zoning District: OS Total Property Acreage: 2.86

PIN: 857108887345; 857108888362; 857108889334; 857108980445; 857100981555 Parcel ID: 96000398; 00039171; 00033309; 00039172; 20190151 Watershed: LR #2

Type of Development: Multi-Family Total Built-Up Area*: 1.61 Acres

% of Total Property Acreage Proposed to be Built-Up Area*: up to 65%

Applicant:

Name(s): Moore HL Properties Email: carolinabuilder@gmail.com

Mailing Address: 55 Walnut Creek Rd, Pinehurst, NC 28374 Phone: 910-295-5973

Authorized Agent, if different from Applicant:

Name(s): Koontz Jones Design, PLLC

Email: thansen@kooontzjones.com Phone: 910-684-8487

Mailing Address: 140 Applecross Rd, Suite B Pinehurst, NC 28374

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

Name(s): Moore HL Properties

Email: carolinabuilder@gmail.com Phone: 910-295-5973

Mailing Address: 55 Walnut Creek Road, Pinehurst, North Carolina 28374


Applicant

*Definition of Built-Up Area May be Found in Chapter 9 of the Unified Development Ordinance.

Please review **UDO §3.6.8 Watershed Protection Overlay District** in its entirety.

COMMUNITY DEVELOPMENT DEPARTMENT
TOWN OF SOUTHERN PINES
180 SW BROAD STREET
SOUTHERN PINES, NORTH CAROLINA 28387
plan@southernpines.net (910) 692-4003 www.southernpines.net

APPOINTMENT OF AGENT

The undersigned owner(s), Moore HL Properties, hereby appoint(s) Koontz Jones Design 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:

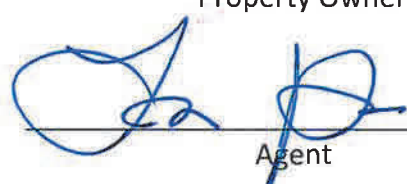
1. to submit an application and required supplemental materials;
2. to appear at public meetings and give representation and comments on behalf of the owner(s);
3. to accept conditions or recommendations made by the Town of Southern Pines Planning Board and Town Council for a rezoning of the subject 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 March, 2025.



Property Owner

Property Owner


Agent

VILLAGE WALK COTTAGE COURT
CZD-RM-1
EXHIBIT B - LIST OF CONDITIONS
(Revision Dated 5/5/2025)

Land Uses

- 1 • Land uses shall be limited to LBCS 1111 single-family detached residences and LBCS 1151 multi-family residences.
- 2 • “Cottage Courtyard” style development shall be a combination of 12 single-family detached residential units, and 12 multi-family residential units distributed evenly between three (3) Quadplex, stacked buildings.

Development Standards (Deviations from RM-1 Standards)

- 3 • Lots shall not be required to front a public or private street, with the exception of the (7) single family detached lots fronting Hale St.
- 4 • Single-family detached homes shall be permitted to have up to two (2) stories and a maximum building height of 35 feet.
- 5 • The three quadplex buildings may exceed the Town’s standards of RM-1 District forty (40) feet maximum building height to forty-five (45) feet.
- 6 • There shall be no minimum lot size or lot width requirements.
- 7 • All lot lines, front, rear and side shall have no setback requirements, provided all buildings maintain 10 feet minimum separation.
- 8 • Lots shall not encroach beyond the Urban Transition Highway Corridor Overlay building setbacks with the exception of the front setback along Hale St, which shall permit a setback reduction from twenty-five (25) feet to twenty (20) feet.

Single-family Detached Building Design

- 9 • To be consistent with the Town’s 2040 Comprehensive Plan and the West Southern Pines Character district standards, the cottages shall be 80% cementitious siding and wood structures on brick foundations for all sides of the building facing public streets.
- 10 • All single-family detached homes facing S Hale Street shall have double-sided architecture, wherein the Hale St and the interior courtyard sides of the home will have a similar designed façade.

Multi-family Building Design

- 11 • Multi-family buildings may reduce the amount of brick required to use cottage style materials for the development. The exact percentage reduction to be determined during Architectural Compliance Permit submission and review.

Pedestrian Connectivity

- 12 • Pedestrian connectivity shall be provided throughout the community, with walking paths in the common open space and connections to the surrounding neighborhood via a sidewalk located in

the Hale St right-of-way.

Streets and Access

- 13 • The main entrance to the site shall be provided off the US Highway 1 Service Road. Two secondary entrance locations shall be provided off Hale Street.
- 14 • The Service Rd Entrance will serve as the dedicated and sole construction entrance for the site during construction. No construction traffic will be allowed along Hale St outside of installation of necessary project specific items that directly interface along Hale St.

Garage/Storage Buildings

- 15 • The garage and storage units shall be two-story buildings, with garage units on the ground level and storage space on the second level. The buildings shall be designed to resemble single-family cottage homes.

Landscape Buffer Reduction

- 16 • Any side yard buffers with a 6 ft height opaque fence shall be granted a reduction in the required plantings by up to 40% (or 10 feet) from 25 feet to 15 feet. Considering the utility easements, proposed location of garages, and proposed vehicle use area, side yard buffers shall be allowed to meander into all cleared areas, including areas surrounding the stormwater facility in a way that does not impact its functionality.
- 17 • In tighter areas where there is limited space for the required plantings, “double counting” of landscape buffer large trees and vehicle use area (VUA) perimeter landscape large trees shall be allowed. Additionally, required shrubs within landscape buffers can be counted towards VUA perimeter shrub requirements. The Identification of these areas shall be determined with the Town during the site plan review.
- 18 • Long Leaf Pines shall be allowed to count towards large tree requirements for VUA perimeter landscape.
- 19 • Within the 30-foot highway yard buffer, any existing mature trees shall be retained and protected, as is practicable considering utility placement, grading of parking, driveway, Service Rd entrance, and stormwater structures

Existing Vegetation

- 20 • Existing street trees along S Hale Street shall not be removed within the R/W outside of ingress/egress driveways into the site, grading necessary to tie in these driveways, and any Town or project required infrastructure. Understory clearing shall be permitted to provide sufficient growing area for the mature trees within the R/W.
- 21 • A sidewalk within the R/W shall be installed. It may be located adjacent to the S Hale St existing back of curb with a thin strip of ground cover to accommodate the existing vegetation/street trees within the Hale St R/W.

Open Space

- 22 • As it relates to the pocket gardens between the single-family detached and multi-family units, a reduction in open space width between buildings from forty (40) feet (per Section 4.9.1(C)(8) of the UDO) to ten (10) feet shall be permitted to count toward open space requirements. The areas shall be high in landscape character and contain passive seating areas.

Decorative Fence

- 23
- A decorative fence no more than four feet in height with at least 60% transparency may be located in the front yard of the single-family detached cottages facing Hale St. Entry gates through the fence from the sidewalk on Hale St may include trellis archway structures up to 9 feet in height.

**EXHIBIT A
VILLAGE WALK
CONDITIONAL DISTRICT NARRATIVE**

The development of the property described as Village Walk in the submitted exhibits is planned to be a new infill community with a mixture of “missing middle” housing options and development patterns within the West Southern Pines District of Southern Pines. The +/- 2.86 site located off US Highway 1 between the Service Road and Hale Street is comprised of five (5) smaller tracts all zoned Office/Service (OS). The combined tracts are comprised of approximately 2.86 acres (the “Combined Tract”). The Applicant is seeking to rezone the Combined Tract to a Conditional District Residential Mixed Housing (CZ-RM-1), known as “Village Walk” that will allow a combination of single family detached cottages and multi-family quadplex uses. Under the Southern Pines Unified Development Ordinance (the “UDO”), the RM-1 zoning district is intended to “allow primarily Single-Family and Multi-Family Residences at a medium-density (approximately 10-12 Dwelling Units per acre)”. Under an RM-1 district, the project permits up to 33 residential units on the property.

The conditional zoning district application proposes a “Cottage Courtyard” style development with twelve (12) single-family detached residential lots/units, and twelve (12) multi-family residential units distributed evenly between three (3) Quadplex, stacked lots/buildings. The units are clustered and oriented towards common green space gardens and shared amenities, with interconnected walking paths to foster community interaction and engagement amongst residents. The unique design is consistent with the Town’s 2040 Comprehensive plan, providing “missing middle” housing options for both renters and owners at a scale that is compatible with the surrounding West Southern Pines Neighborhood. The development will meet the Town’s standards for an RM-1 district and offer a quality design with unique conditions and standards that reflect a “Cottages Courtyard” development pattern, as recommended in the Town’s 2040 Comprehensive Plan and West Southern Pines Character District.

The cottage courtyard mixed-residential development will consist of 24 residential units with shared community amenities. These amenities will potentially include a covered open-air pavilion with a grilling area and fireplace, a community fire pit, common space seating areas, and trellis/ pergola shade structures. The property falls within a high-quality watershed and there is no floodplain. As a result, a watershed protection permit application has been submitted to allow for increased impervious surface and allow up to 70% impervious surface. Overall impervious surface to be developed on the property will fall well below the permitted 70%. This site is a residential infill location in the West Southern Pines character district of Southern Pines. Increased impervious surface in infill locations for residential development is consistent with the Town’s 2040 Comprehensive Plan (2040CP).

Design elements for the project are described below.

- **Major Subdivision**

- A Major Subdivision application has been submitted for the Village Walk CZD-RM-1 district which will subdivide the project site into twelve (12) single-family cottage lots, three (3) multi-family quadplex lots, and one (1) common area lot. Due to the unique



layout of cottage court developments, there are no standards currently in place for this development pattern within the Town's UDO. Therefore, we are requesting unique conditions that deviate from the current Major Subdivision and Preliminary Plat requirements and criteria (Section 2.20.4 of the UDO). Please note the following deviations:

- Lots shall not be required to front a public or private street.
- Minimum lot size, density and width requirements shall be removed.
 - Lot lines are to be offset by a minimum of 5 feet beyond the building footprints indicated on the plan to allow for flexibility in final building placement.
 - Lots shall not encroach beyond the overall project site building setbacks.
- Lots shall have a zero-lot line setback on all sides. The building footprint shall be located anywhere within the lot, provided that 10 feet minimum separation is maintained between adjacent buildings.

- **Architectural Character**

- The single-family residential units will be designed to fit the West Southern Pines Character District descriptions. The multi-family residential units will be designed to fit both the West Southern Pines District's character and the multi-story buildings in downtown Southern Pines. All buildings are intended to both complement and add to the surrounding neighborhood. The project is also intended to be visually appealing from US Highway 1.
- The project requests to exceed the Town's standard for residential building height of thirty-five (35) feet. This request is being made to allow the residential buildings to have a sloped roof and remain in character with the smaller cottages. Flat roofs combined with the rest of the development would deviate from the intended cottage character designated in the Comprehensive Plan.
- A request to reduce the amount of brick on the multi-family buildings to use cottage style materials is requested for the development. This request will allow the buildings to blend with the cottage units as described in the Comprehensive Plan.
- Per the UDO, the project must obtain an Architectural Compliance Permit from the Town Council. All multi-family structures require approval of an Architectural Compliance Permit.

- **Single-Family Detached Cottages**

- The proposed plan includes 12 single-family detached cottages. Cottages will have a mixture of 2 and 3 bedrooms per unit.
- It is intended that the cottages will be 1-2 stories and will not exceed the Town's standard for residential building height of thirty-five (35) feet.
- New cottages will be designed to reflect the traditional arts/crafts and New England style cottages found in Southern Pines and Moore County. The cottages will be 80%

cementitious siding and wood structures on brick foundations for all sides facing public streets, per the West Southern Pines Character District Standards, Section 3.6.4(F)(3) of the Town's UDO. Per Exhibit A, design character elevations of the cottages have been provided within the application. Each cottage will be of a varied design style and color.

- Cottage units will be separated by at least 10 feet, and residential sprinklers will be provided in all buildings.

- **Quadplex Stacked Buildings**

- The proposed plan includes (3) quadplexes, stacked buildings with four (4) units in each building. The units will have a mixture of 1, 2, and 3 bedrooms.
- It is intended that the quadplex buildings will be 2 or 3 stories. As mentioned previously in the Architectural Character section, the project requests to exceed the Town's standard for residential building height of thirty-five (35) feet.
- The one (1) quadplex building located in the center amongst the single-family cottages will be designed to reflect the traditional arts and crafts and New England-style cottages found in Southern Pines and Moore County. The building will have cementitious siding and wood structures on brick foundations. Per Exhibit B, a design character elevation of this building has been provided within the application.
- The two (2) quadplex buildings fronting the US 1 Service Road will be three (3) stories and designed to bridge the design style of the single-family cottages and the multi-story brick buildings found in downtown Southern Pines. The buildings will combine cementitious siding and brick on brick foundations. Per Exhibit C, a design character elevation of this building has been provided within the application.
- The ground level units of these buildings will be ADA accessible.
- The quadplex buildings will have a minimum of 10' separation from adjacent buildings and residential sprinklers will be provided in all buildings.

- **Pedestrian Connectivity**

- Pedestrian connectivity will be provided throughout the community, with walking paths in the common open space and connections to the surrounding neighborhood. Two points of connection along Hale Street will allow residents access to the neighborhood street and sidewalk network for walking and biking to West Southern Pines and downtown Southern Pines. The property is four (4) blocks from Morganton Road and (8) blocks from Pennsylvania Ave, which leads to the center of West Southern Pines and downtown Southern Pines.

- **Streets and Access**

- The main entrance to the site will be provided off the US Highway 1 Service Road. Two secondary entrance locations will be provided off Hale Street. None of the entrances into the community will be gated.

- **Parking Areas**

- Adequate parking will be provided on-site to meet UDO standards for single-family and multi-family uses.
- The community will have a combination of surface parking and enclosed garage and storage units at a ratio that meets the UDO standards. These standards are as follows from Section 4.5 of the Town's Udo:

Land Use	Minimum Vehicle Parking Spaces	Minimum Bicycle Parking Spaces
1 and 2 Family residences	2 spaces per Dwelling Unit	
Multi-Family	1 space per Dwelling Unit plus 1 space per 5 Dwelling Units for visitors	1 space per 10 Dwelling Unit
0-1 bedrooms	2 spaces per Dwelling Unit plus 1 space per 5 Dwelling Units for visitors	
2-3 bedrooms	2.5 spaces per Dwelling Unit plus 1 space per 5 Dwelling Units for visitors	
4 or more bedrooms	2.5 spaces per Dwelling Unit plus 1 space per 5 Dwelling Units for visitors	

- The garage and storage units will be two-story buildings, with garage units on the ground level and storage space on the second level. The buildings will be designed to resemble single-family cottage homes.
- Additional parking beyond the required parking will be provided for visitors of the single-family detached cottage units.

- **Buffers/Setbacks**

- Buffers and setbacks will be provided at a minimum per the RM-1 district standards and Highway Corridor Urban Transition Overlay District requirements. The standards of the overlay district in Section 3.6.5 of the UDO are significantly greater than those of the standard zoning district and are as follows:
 - All US 1 frontage requires a 75' building setback, 50' parking lot setback and 50' Highway yard, and 15' side yard landscape buffer. Each of these standards will be met.
 - The RM-1 district requires the following dimensional requirements which will be met:

Dimensional Requirements Table			
	Type	Requirement	Requested Condition
1	Building Height, Setbacks, and Lot Dimensions Exhibit 3-6	Front Setback Hale Street 25'	Front Setback Hale Street 20'
2	Building Height, Setbacks, and Lot Dimensions Exhibit 3-6	Exterior Side Setback 15'	Exterior Side Setback 15'
3	Building Height, Setbacks, and Lot Dimensions Exhibit 3-6	Interior Side Setback 10'	Min. Building Separation 10'

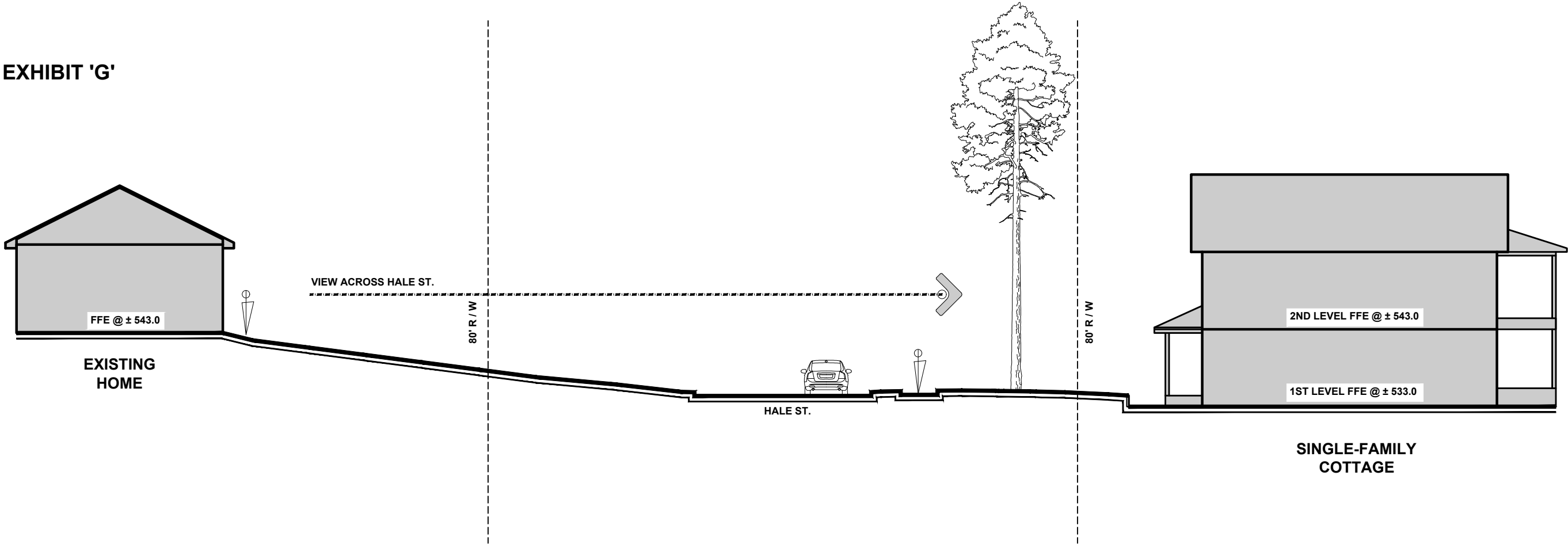
4	Building Height, Setbacks, and Lot Dimensions Exhibit 3-6	Rear Setback 30'	Rear Setback 30'
5	Building Height, Setbacks, and Lot Dimensions Exhibit 4-1	Max. Building Height 40'	Max. Building Height 45'
6	Hwy Corridor Overlay District Minimum Buffer Widths Exhibit 4-3	Highway Yard 50'	Highway Yard 50'
7	Hwy Corridor Overlay District Minimum Buffer Widths Exhibit 4-3	Side and Rear Yard 15'	Side and Rear Yard 15'
8	Hwy Corridor Overlay District Development Standards Exhibit 3-13	Building Setback 75'	Building Setback 75'

- Due to the development pattern of a “Cottage Courtyard” community, a request is made to reduce the front setback along Hale Street to 20’.
- There is also a request to separate buildings by a minimum of 10 feet. This will be critical to the layout and design of the units in the context of the “Cottage Courtyard” style development.
- **Landscaping and Fencing**
 - Landscaping will be provided as required by the Town of Southern Pines UDO, including plantings required by the Urban Transition Highway Corridor Overlay District. Much of the site is currently wooded. Due to the topography of the site and the nature of a “Cottage Courtyard” development, many trees within the property boundary will be removed.
 - Planting buffers and screening will be provided on adjacent property boundaries where necessary and required by the Town’s UDO. Effort will be made to preserve existing trees in the buffer areas of the project and the existing trees fronting Hale Street along the northern side of the project. Any tree saved in the buffer areas may count toward planting credit as permitted in the UDO.
 - A combination of decorative and screen fencing is proposed for the three sides of the project site (north, east, and west). A lower, 4’ max height 60% transparent, decorative wood fence will run between the single-family cottage units and the northern property boundary along Hale Street. A minimum 6’ height opaque screening fence will run on the eastern and western property boundaries. For any buffers with a 6 ft height opaque fence, we will request a reduction in the required plantings by up to 50%, per Section 4.3.4 (B)(7) of the Town’s UDO.

- Per Exhibit F, a conceptual character image of the 4' height decorative fence has been provided with this application.
 - Landscaping for parking lots and other areas of the site will be provided as required by the Town of Southern Pines UDO.
- **Open Space and Common Areas**
 - Multi-family residential development requires 10% open space. The development will provide approximately +/- 17.5% (+/- 0.50 acres) open space as indicated on the site plan. This open space will be in buffer areas, stormwater features, community gardens and amenity areas throughout the property as indicated on the site plan. Due to the unique design and layout of Cottage Courtyard developments, we request a reduction in what can be counted as open space between buildings, from 40' to 10'. Though small, the pocket gardens between units will be high in landscape character and are essential to the overall vision for the project. These spaces will create character and offer passive outdoor seating areas for the community's residents and are critical open space components of the design. Per Exhibit D, design character elevation of the community pavilion has been provided within the application.
 - While usable open space is not required within the RM-1 district, usable open space has been included for the community in the shared amenity areas and totals 8.6% (0.25 acres) of the total open space. This number does not reflect areas with sidewalks considered usable open space within the community.
 - To ensure a high-quality landscape and open space, the community's HOA will own and maintain all exterior areas between the cottages and the quadplex buildings.
- **Stormwater**
 - Stormwater management best practices will be applied on the site as necessary and required to control stormwater runoff throughout the project. All storm-water will be handled on site in a series of ponds, basins, bioswales or other devices.
 - The project site is located within a high-quality watershed (HQW). To control and treat stormwater runoff for the project, stormwater best management practices will be applied as necessary and required by the Town of Southern Pines and State of North Carolina. Any required stormwater management devices will be permitted as required by the appropriate state and local agencies.
 - Stormwater devices may be located in buffer areas within the property.
- **Utility Service**
 - The Town of Southern Pines can provide adequate water and sewer service to service this development. Utilities are currently within close proximity, along the streets and adjacent properties near the proposed site or located directly on the property. All utilities on the site will be located underground.
- **Signage**
 - A main-entrance community sign monument for the development will be placed at the main entrance from the US 1 Service Road. In addition, smaller secondary signs will be provided at the two (2) entrances off Hale Street.
 - All signs will indicate the community's name and/or logo and follow the sign standards in Section 4.6 of the Town's UDO. Any additional directional or on-site signage for parking areas, parks, or amenities will follow the Town of Southern Pines sign standards in Section 4.6 for size, materials, and height.

The descriptions and narrative described above will apply to the entire project as indicated in the Conditional Zoning District plan document. For further clarification a list of conditions (Exhibit G) has been provided with this application.

EXHIBIT 'G'



HALE ST. COMPARATIVE CROSS SECTION (EXISTING AND PROPOSED HOMES)
SCALE: 1" = 15'-0"

DISCLAIMER:
THIS SECTION IS CONCEPTUAL AND IS FOR ILLUSTRATION PURPOSES ONLY AND IS SUBJECT TO CHANGE.
ELEVATIONS INDICATED ARE APPROXIMATE AND ESTIMATIONS ONLY.

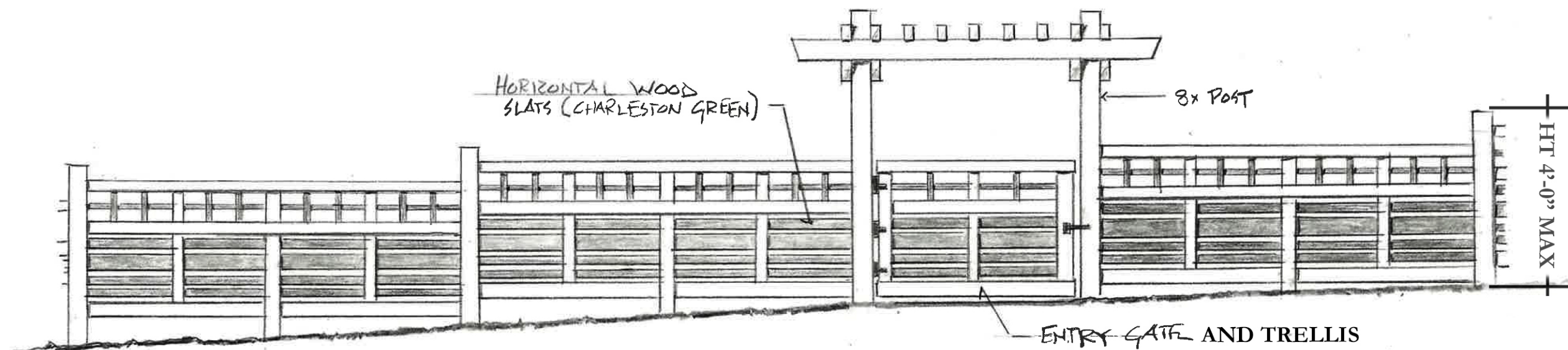


EXHIBIT H

4' HEIGHT DECORATIVE FENCE

NOTE:

FENCE DESIGN WILL FOLLOW STANDARDS FOR FRONT YARD FENCES AS OUTLINED IN SECTION 4.7 OF THE UDO

PREPARED BY:



DISCLAIMER:
THIS PLAN IS FOR ILLUSTRATION PURPOSES ONLY AND IS
SUBJECT TO CHANGE WITHOUT NOTICE.

VILLAGE WALK
SOUTHERN PINES, NC

EXHIBIT 'E'

THREE-STORY QUADPLEX

MARCH 10, 2025



THREE-STORY QUADPLEX - FRONT ELEVATION
SCALE: 1/8" = 1'-0"

PREPARED BY:



DISCLAIMER:
THIS PLAN IS FOR ILLUSTRATION PURPOSES ONLY AND IS
SUBJECT TO CHANGE WITHOUT NOTICE.

VILLAGE WALK

SOUTHERN PINES, NC

EXHIBIT 'D'

TWO-STORY QUADPLEX

MARCH 10, 2025



TWO-STORY QUADPLEX - FRONT ELEVATION

SCALE: 1/8" = 1'-0"

PREPARED BY:



DISCLAIMER:
THIS PLAN IS FOR ILLUSTRATION PURPOSES ONLY AND IS
SUBJECT TO CHANGE WITHOUT NOTICE.

VILLAGE WALK
SOUTHERN PINES, NC

EXHIBIT 'C'

**SINGLE FAMILY
DETACHED COTTAGES**

MARCH 10, 2025



SINGLE FAMILY DETACHED COTTAGES - FRONT ELEVATIONS

SCALE: 1/8" = 1'-0"

PREPARED BY:



DISCLAIMER:
THIS PLAN IS FOR ILLUSTRATION PURPOSES ONLY
AND IS SUBJECT TO CHANGE WITHOUT NOTICE.

VILLAGE WALK
SOUTHERN PINES, NC

EXHIBIT 'F'

COMMUNITY PAVILION

MARCH 10, 2025



COMMUNITY PAVILION - ELEVATION

SCALE: 1/8" = 1'-0"

PREPARED BY:



DISCLAIMER:
THIS PLAN IS FOR ILLUSTRATION PURPOSES ONLY
AND IS SUBJECT TO CHANGE WITHOUT NOTICE.

Watershed Protection Permit Application - NARRATIVE

Project Information:

Project Name: Village Walk Townhomes

Zoning District: RM-1

PIN: 857108887345; 857108888362; 857108889334; 857108980445; 857100981555

Parcel ID: 96000398; 00039171; 00033309; 00039172; 20190151

Exhibit 3-14, Table Note 3 of TOSP UDO 5-14-24

3. Development outside of the CB district requiring an allocation of Built-Upon Area shall require approval from the Town Council in conjunction with any Development Approval prior to Building Permit Approval. The allocation may be granted concurrently with Architectural Compliance Permit or Final Development Plan approval and shall be subject to the following criteria:

a. The use and location of the use are consistent with the Comprehensive Plan;

The proposed townhome development is consistent with the Comprehensive Plan.

b. The design of the project is appropriate for the location and is consistent with the purposes of the WPO district;

The design of the proposed townhome development is consistent with the purposes of the WPO district.

c. The allocation is minimum necessary to establish the use at a size, scale and design that serves the interests of the Neighborhood and the Town as a whole; and

The allocation will not exceed the permitted amount of 70% and serves the interests of the Neighborhood and the Town as a whole.

d. The allocation will not detract from the viability of similar uses in the area or other parts of the Town.

The allocation will not detract from the viability of similar uses in the area or other parts of the Town.

The following criteria have been addressed. Please reach out to me if you have any questions at thansen@koontzjones.com or 910-684-8487.

Trevor Hansen, PLA

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR VILLAGE WALK COTTAGE COURT

This Declaration of Covenants, Conditions, and Restrictions ("Declaration") is made this [DATE], by [DEVELOPER'S NAME], hereinafter referred to as "Declarant."

RECITALS

WHEREAS, the Declarant is the owner of certain real property located on SW Service Road in Southern Pines, Moore County, North Carolina, as more particularly described in Exhibit A attached hereto and made a part hereof (the "Property");

WHEREAS, the Declarant desires to create a residential community to be known as "Village Walk Cottage Court" (the "Subdivision") and to provide for the preservation of the values and amenities in said Subdivision and for the maintenance of the Common Areas, private roads, and other improvements;

WHEREAS, the Declarant desires to subject the Property to the provisions of this Declaration, which are intended to protect the value and desirability of the Subdivision and to be binding upon all persons having any right, title, or interest in the Property or any part thereof;

NOW, THEREFORE, the Declarant hereby declares that the Property shall be held, sold, and conveyed subject to the following easements, restrictions, covenants, and conditions, which are for the purpose of protecting the value and desirability of the Property and which shall run with the land and be binding on all parties having any right, title, or interest in the Property or any part thereof, and their heirs, successors, and assigns, and shall inure to the benefit of each Owner thereof.

ARTICLE I: DEFINITIONS

1. "Association" shall mean the Village Walk Cottage Court Homeowners Association, Inc., a North Carolina nonprofit corporation, its successors, and assigns.

2. "Common Area" shall mean all real property and improvements thereon owned by the Association for the common use and enjoyment of the Owners, including, but not limited to, private roads, green spaces, and landscaped areas.
3. "Lot" shall mean any numbered plot of land shown on the recorded subdivision plat of the Property, which is intended for development as a townhome.
4. "Owner" shall mean the record owner, whether one or more persons or entities, of fee simple title to any Lot within the Subdivision, including contract sellers but excluding those having such interest merely as security for the performance of an obligation.
5. "Declarant" shall mean [DEVELOPER'S NAME], its successors, and assigns, if such successors or assigns should acquire more than one undeveloped Lot from the Declarant for the purpose of development.
6. "Subdivision" shall refer to the planned community known as Village Walk Cottage Court, located on SW Service Road in Southern Pines, North Carolina.

ARTICLE II: PROPERTY RIGHTS

1. Owner's Easement of Enjoyment: Every Owner shall have a right and easement of enjoyment in and to the Common Area, which shall be appurtenant to and shall pass with the title to every Lot, subject to the following provisions:

- The right of the Association to establish reasonable rules and regulations governing the use of the Common Area.
- The right of the Association to suspend the voting rights and rights to use the Common Area by an Owner for any period during which any assessment against such Owner's Lot remains unpaid, and for a period not to exceed sixty (60) days for any infraction of its published rules and regulations.
- The right of the Association to dedicate or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the Members.

2. Private Roads: The roads within the Subdivision are private and shall be maintained by the Association. No Owner shall block, obstruct, or hinder traffic on the private roads. The Association may adopt rules regulating parking and speed limits on private roads.

ARTICLE III: HOMEOWNERS ASSOCIATION

1. Membership: Every Owner of a Lot within the Subdivision shall automatically be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any Lot.

2. Voting Rights:

- Declarant Voting Rights: The Declarant shall be entitled to ten (10) votes for each Lot they own within the Subdivision. This special voting right shall continue until the Declarant no longer owns any Lots or until the Declarant voluntarily relinquishes this right in writing.

- Owner Voting Rights: After the Declarant no longer owns any Lots or relinquishes the special voting rights, each Lot shall have one (1) vote in the Association.

- Voting rights are subject to suspension as provided herein and in the Bylaws of the Association.

3. Board of Directors: The affairs of the Association shall be managed by a Board of Directors. The number, term, and qualifications of the Directors shall be as set forth in the Bylaws of the Association.

4. Assessments:

- Creation of the Lien and Personal Obligation of Assessments:** The Declarant, for each Lot owned within the Subdivision, hereby covenants, and each Owner of any Lot by acceptance of a deed therefor, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to pay to the Association: (1) annual assessments or charges; (2) special assessments for capital improvements; and (3) special assessments levied for emergency purposes. Such assessments, together with interest thereon and costs of collection, shall be a charge on the Lot and shall be a continuing lien upon the Lot against which each such assessment is made.

- Purpose of Assessments: The assessments levied by the Association shall be used exclusively to promote the recreation, health, safety, and welfare of the residents in the Subdivision and for the improvement and maintenance of the Common Areas, including the maintenance of private roads, open spaces, and landscaping.

ARTICLE IV: USE RESTRICTIONS

1. Residential Use: All Lots shall be used for residential purposes only. No trade, business, or commercial activity shall be conducted on any Lot, except for home offices or home-based businesses that do not generate customer traffic, noise, or other nuisances detectable outside of the dwelling.

2. Architectural Control:

- No structure, including any building, fence, wall, or other improvement, shall be commenced, erected, or maintained on any Lot, nor shall any exterior addition to or change or alteration therein be made, until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same have been submitted to and approved in writing by the Architectural Control Committee (ACC).

- The ACC shall consist of three (3) members appointed by the Declarant during the Development Period and by the Board of Directors thereafter. The ACC shall consider the harmony of external design with existing structures, location with respect to topography and finished grade elevation, and conformity with the overall aesthetic of the Subdivision.

3. Nuisances: No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood. Owners shall refrain from activities that generate excessive noise, odor, or pollution.

4. Parking and Vehicle Restrictions:

- Parking shall be restricted to private driveways and garages. No vehicles shall be parked on the streets or Common Areas, except in designated guest parking spaces.

- Commercial vehicles, trailers, boats, and recreational vehicles shall not be parked on any Lot or street within the Subdivision unless stored in a garage or otherwise concealed from public view.

5. Pets:

- A maximum of two (2) household pets may be kept, provided they are not kept, bred, or maintained for commercial purposes. Pets shall be restrained at all times when outside the dwelling and must not create excessive noise or disturbance.

- Owners shall be responsible for cleaning up after their pets in the Common Areas.

6. Trash and Recycling:

- Trash service is provided by the town. Trash and recycling containers shall be stored out of view from the street, except on collection days when they may be placed at the curb.

- All garbage and recycling must be placed in secure, approved containers.

7. Lawn and Open Space Maintenance:

- The Association shall be responsible for the maintenance of all lawns and open spaces within the Subdivision, including mowing, fertilizing, and landscaping.
- No Owner shall alter, landscape, or plant in these areas without the prior written approval of the Association.

ARTICLE V: INSURANCE AND MAINTENANCE

1. Insurance:*

- The Association shall maintain adequate property insurance covering the Common Areas and any improvements thereon against loss or damage by fire, flood, storm, and other hazards, including liability insurance covering the Common Areas and the Board of Directors.
- Each Owner shall be responsible for obtaining insurance coverage for their Lot and townhome, including casualty, liability, and flood insurance if applicable.

2. Maintenance:

- The Association shall maintain the Common Areas, including roads, open spaces, and landscaping. Maintenance shall include, but not be limited to, repair, replacement, and upkeep of all common facilities, utilities, and infrastructure.
- Each Owner shall maintain their townhome and Lot in good condition and repair, including, but not limited to, exterior surfaces, roofs, windows, doors, and landscaping within the Lot boundaries.

ARTICLE VI: EASEMENTS

1. Utility Easements: There is hereby reserved a blanket easement over, under

, and through the Subdivision for the installation, repair, and maintenance of utilities, including but not limited to water, sewer, electricity, gas, cable television, and telecommunications.

2. Ingress and Egress: Easements for ingress and egress over private roads are hereby established for the benefit of all Owners and the Association. No Owner shall obstruct or interfere with the use of these easements.

3. Drainage Easements: Easements for drainage facilities are hereby reserved, and no structure or improvement shall be placed within such easements that would interfere with the flow of water or maintenance of drainage systems.

ARTICLE VII: AMENDMENT

1. Amendment by Declarant: The Declarant reserves the right to unilaterally amend this Declaration for so long as the Declarant owns any Lot within the Subdivision. Any amendment by the Declarant shall be consistent with the general purposes of this Declaration.

2. Amendment by Owners: After the Declarant no longer owns any Lots, this Declaration may be amended by a vote of two-thirds (2/3) of the Owners, with each Lot receiving one vote. Amendments shall be recorded in the public records of Moore County, North Carolina, to be effective.

ARTICLE VIII: GENERAL PROVISIONS

1. Enforcement: The Association or any Owner shall have the right to enforce, by proceedings at law or in equity, all covenants, restrictions, easements, and liens now or hereafter imposed by this Declaration. Failure to enforce any provision hereof shall in no event be deemed a waiver of the right to do so thereafter.

2. Severability: Invalidation of any provision of this Declaration by judgment or court order shall not affect any other provisions, which shall remain in full force and effect.

3. Duration: The covenants and restrictions of this Declaration shall run with and bind the land, and shall inure to the benefit of and be enforceable by the Association, the Declarant, and any Owner, their respective legal representatives, heirs, successors, and assigns, for a term of fifty (50) years from the date this Declaration is recorded, after which time they shall automatically extend for successive periods of ten (10) years unless an instrument signed by the then-Owners of two-thirds (2/3) of the Lots has been recorded agreeing to terminate or amend these covenants.

4. Interpretation: The provisions of this Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for the development and operation of a residential community.

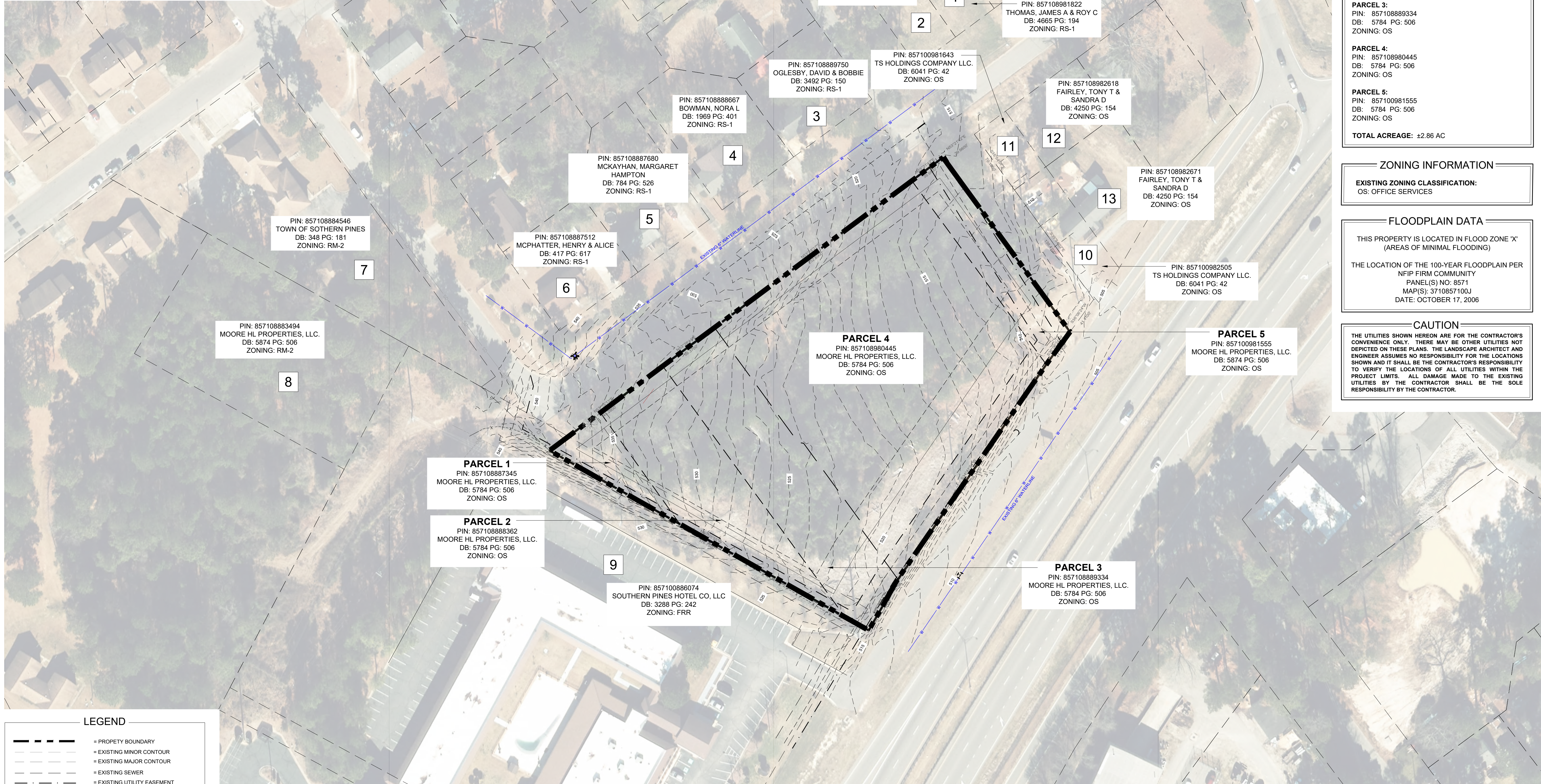
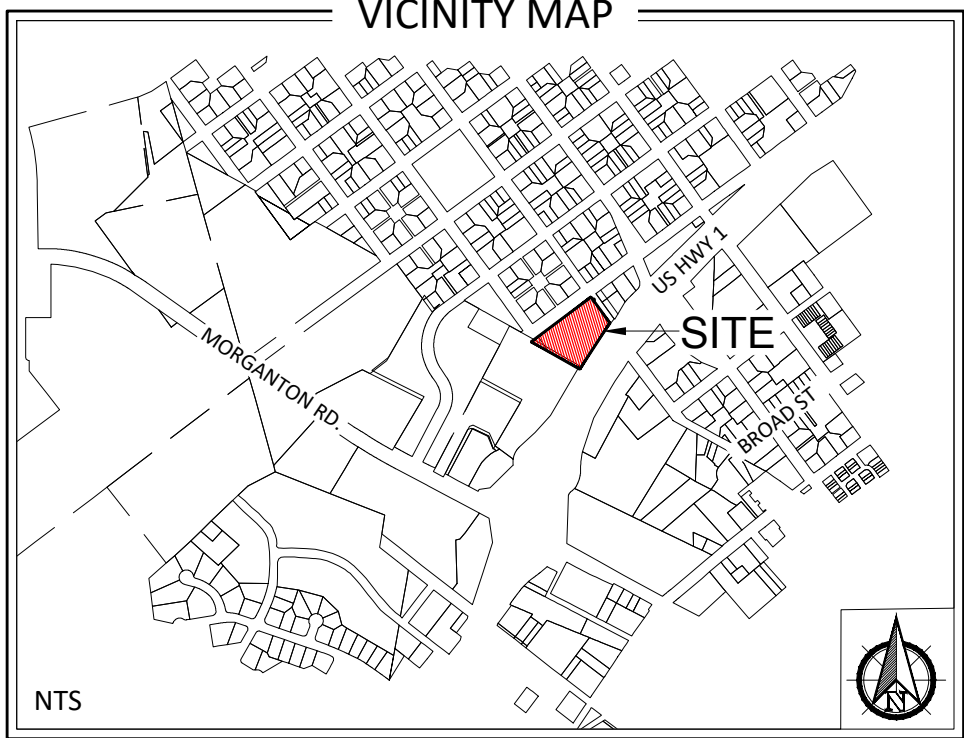
Headings are for convenience only and shall not affect the meaning or interpretation of any provision herein.

IN WITNESS WHEREOF, the Declarant has executed this Declaration on the day and year first above written.

[DEVELOPER'S NAME]

[DEVELOPER'S SIGNATURE]

EXHIBIT A: Legal Description of Property



PROPERTY INFORMATION

PROPERTY OWNER/APPLICANT:
MOORE HL PROPERTIES, LLC.
55 WALNUT CREEK ROAD
PINEHURST, NC 28374

PROPERTY ADDRESS:
660 SW SERVICE RD
SOUTHERN PINES, NC 28387

PARCEL 1:
PIN: 857108887345
DB: 5784 PG: 506
ZONING: OS

PARCEL 2:
PIN: 857108888362
DB: 5784 PG: 506
ZONING: OS

PARCEL 3:
PIN: 857108889334
DB: 5784 PG: 506
ZONING: OS

PARCEL 4:
PIN: 857108880445
DB: 5784 PG: 506
ZONING: OS

PARCEL 5:
PIN: 857100981555
DB: 5784 PG: 506
ZONING: OS

TOTAL ACREAGE: ±2.86 AC

ZONING INFORMATION

EXISTING ZONING CLASSIFICATION:
OS: OFFICE SERVICES

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: 8571
MAP(S): 3710857100J
DATE: OCTOBER 17, 2006

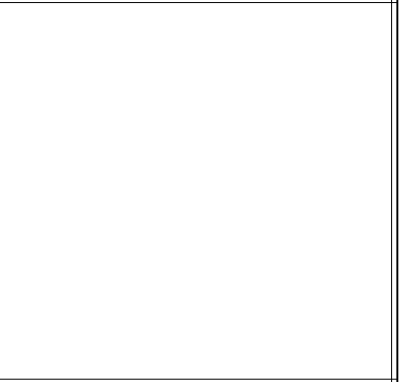
CAUTION

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 BY THE CONTRACTOR.

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

KOONTZJONESDesign
LAND PLANNING | LANDSCAPE ARCHITECTURE

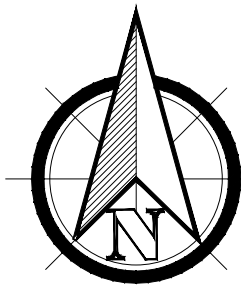
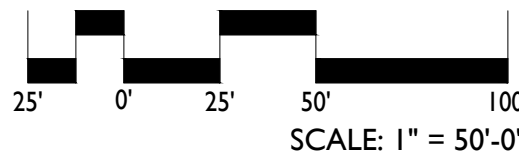
140 APLECROSS RD, SUITE B
PINEHURST, NC 28374
P: (910) 684-6467
W: www.koontzjones.com



REVISIONS:

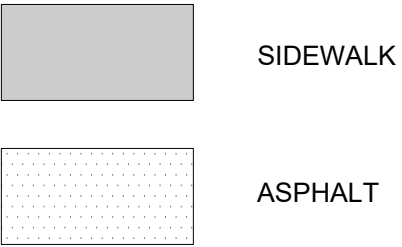
VILLAGE WALK COTTAGE COURT
CONDITIONAL ZONING DISTRICT
SOUTHERN PINES, NORTH CAROLINA
EXISTING CONDITIONS

DATE: 03-10-2025
DESIGNED BY: REK
DRAWN BY: CN
CHECKED BY: TH
SCALE: 1" = 50'-0"
PROJECT #: K12D2102
SHEET NUMBER:
L-1.0

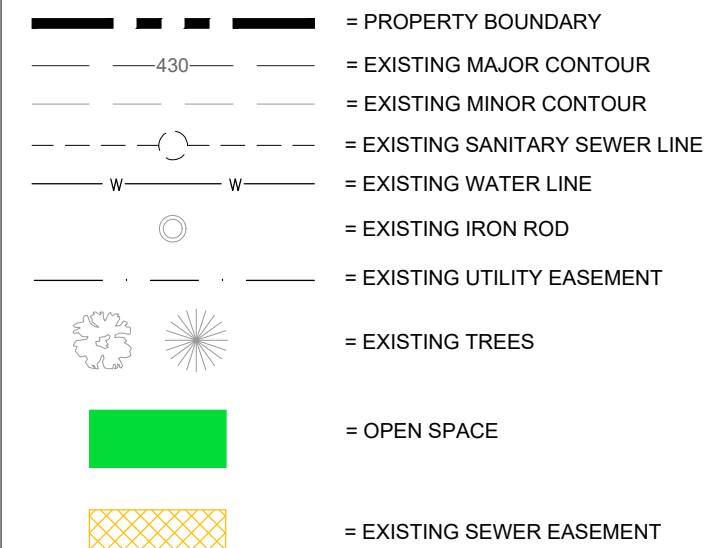




PAVEMENT LEGEND



LEGEND



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: 8571
MAP(S): 3710857100J
DATE: OCTOBER 17, 2006

ZONING INFORMATION

EXISTING ZONING CLASSIFICATION:
OS: OFFICE SERVICES

PROPOSED ZONING CLASSIFICATION:
CZ-RM-1: CONDITIONAL ZONING

SETBACKS
FRONT: 20' (REQUESTED REDUCTION UP TO 75%
OF 25')
INTERIOR SIDE: 10'
EXTERIOR SIDE: 15'
REAR: 30'

MAX BUILDING HEIGHT: 45'

PROPERTY INFORMATION

PROPERTY OWNER/APPLICANT:
MOORE HL PROPERTIES, LLC.
55 WALNUT CREEK ROAD
PINEHURST, NC 28374

PROPERTY ADDRESS:
660 SW SERVICE RD
SOUTHERN PINES, NC 28387

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PIN: 857108980445
DB: 5784 PG: 506
ZONING: OS

PARCEL 5:
PIN: 857100981555
DB: 5784 PG: 506
ZONING: OS

TOTAL ACREAGE: ±2.86 AC

PROPOSED IMPERVIOUS SURFACE: ±70,317 SF
(±1.61 AC) 57.7% OF OVERALL PARCEL

REQUIRED OPEN SPACE: ±0.29 AC (10.0% OF SITE)
PROPOSED OPEN SPACE: ±0.56 AC (19.6% OF SITE)

RESIDENTIAL
(2-3)-BEDROOM COTTAGES: 12 UNITS
(3) FOURPLEX BUILDINGS / (1-3) BEDROOM: 12 UNITS

TOTAL UNITS: 24 UNITS / 8.4 DUA

PARKING REQUIREMENTS:
(2-3)-BEDROOM @ 2 SPACES PER UNIT + 1 SPACE
PER 5 DWELLING UNITS:
= 26 SPACES REQUIRED
FOURPLEX @ 2 SPACES PER UNIT + 1 SPACE PER 5
DWELLING UNITS:
= 27 SPACES REQUIRED

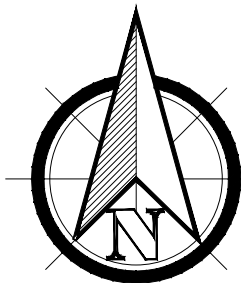
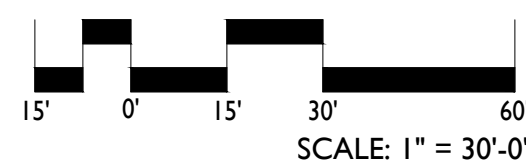
TOTAL VEHICLE PARKING SPACES REQUIRED: 53
TOTAL BICYCLE PARKING SPACES REQUIRED: 2

GARAGE PARKING
= 12 VEHICLE SPACES PROVIDED
SURFACE PARKING
= 41 VEHICLE SPACES PROVIDED
= 2 BICYCLE SPACES PROVIDED

**TOTAL VEHICLE AND BICYCLE PARKING SPACES
PROVIDED:** 55

CAUTION

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CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT
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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 BY THE CONTRACTOR.



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

REVISIONS:
1. 2025.04.03 - REVISIONS
2. 2025.05.02 - REVISIONS

VILLAGE WALK COTTAGE COURT
CONDITIONAL ZONING DISTRICT
SOUTHERN PINES, NORTH CAROLINA
CONCEPTUAL SITE PLAN

DATE: 03-10-2025
DESIGNED BY: TH
DRAWN BY: CN
CHECKED BY: REK
SCALE: 1" = 30'-0"
PROJECT #: KJ22102
SHEET NUMBER:
L-1.1

KOONTZJONESDesign
LAND PLANNING | LANDSCAPE ARCHITECTURE

140 APLECROSS RD., SUITE B
PINEHURST, NC 28374
P: (910) 684-6467
W: www.koontzjones.com

From: [Jones, DeAngelo J](#)
To: [Cindy Williams](#); [Archie Daniel](#); [Cory Albers](#); [David Byrd](#); [Director](#); [Greg Thompson](#); [James Michel](#); [Ken Skipper](#); [JuarezPozos, Dagoberto](#); ncsandhillsrcw@fws.gov; [Cloutier, Rick](#); [Ron Istre](#)
Cc: [Alaina Mallette](#)
Subject: RE: [External] Z-03-25 Village Walk Conditional Zoning District
Date: Monday, April 7, 2025 3:13:10 PM
Attachments: [image001.png](#)

Hello Cindy

I have reviewed the plans for Village Walk Cottage Court. Comments are as follows:

1. A driveway permit will be required for the connection on the SW Service Road (SR 1872)
2. A 3-party encroachment will be required for the water main tie-ins along the SW Service Road (SR 1872).
3. Show impacts of utility conflicts with existing drainage system. Show how driveway drainage will interface with existing drainage system.
4. Provide grading and drainage plan.
5. Design detail of the proposed driveway connecting to SR 1872 is required.
6. Provide driveway profile .
7. Provide additional detail of the water main location relative to the edge of pavement of US 1 needs to be shown.
8. Please indicate existing sewer main on the plans.

If there are any additional questions please let me know.

Have a great day!

DeAngelo J. Jones

Senior Assistant District Engineer
North Carolina Department of Transportation
Division of Highways
Division 8, District 2

(910)944-7621
djjones1@ncdot.gov

902 N Sandhills Blvd
PO Box 1067
Aberdeen, NC 28315





TOWN OF SOUTHERN PINES COURTESY REVIEW

Case: Z-03-25 – Village Walk

Location: Between South Hale Street and US Highway 1

PIN#s: 857108887345, 857108888362, 857108889334, 857108980445, and 857100981555

March 22, 2025

Following a review of the above referenced application by the RLUAC Land Use Committee, it has been determined that:

- The site is designated as Important to Protect in the Fort Bragg Compatible Use Rating system due to its location within a designated High Quality Waters drainage area (Mill Creek HQW Management Area).

RLUAC encourages the Town of Southern Pines and the owner / developer to take such measures as are feasible to limit the impact of stormwater runoff from the future development of the site on McDeeds Creek (a tributary of Mill Creek) and the Mill Creek High Quality Waters Management Area. Maintaining the integrity of important environmental assets contributes to the overall compatibility of our region with Fort Bragg's environmental protection mission, which goes hand-in-hand with its military training and operational missions. Beyond the potential environmental impact of the proposed development, the nature of the use proposed for the site does not present any compatibility concerns with regard to military training or operations.

While RLUAC's findings and recommendations are non-binding on the Town of Southern Pines, their consideration and incorporation into your review of this case will help to improve compatibility outcomes for our region as a whole by protecting Fort Bragg's military training and operational missions.

Thank you for allowing RLUAC to review this case.

Kia Anthony, Chairman

Vagn K. Hansen II, AICP, Executive Director

From: [Director](#)
To: [Cindy Williams](#)
Subject: Re: MAPP-01-25 Village Walk Major Subdivision
Date: Friday, March 28, 2025 11:55:57 AM

Cindy,

The comment letter provided for the conditional zoning case for the subject property is applicable to the subdivision review as well.

Thanks,

Vagn

Vagn K. Hansen II, AICP, Executive Director
Regional Land Use Advisory Commission
6205 Raeford Road

Fayetteville, NC 28304

(910) 398-3743

director@rluac.com

www.rluac.com

On Thu, Mar 27, 2025 at 1:43 PM Cindy Williams <CWilliams@southernpines.net> wrote:

Good afternoon,

Please review the attached Notice and site plan and respond with any comments or concerns at your earliest convenience.

Sincerely,

Cindy Williams

From: [Nora Bowman](#)
To: [James Michel](#)
Cc: [Alaina Mallette](#); [BJ Grieve](#)
Subject: Concern Regarding Village Walk Development
Date: Wednesday, April 9, 2025 5:20:50 PM

Dear Town of Southern Pines Planning Department,

My name is Nora Bowman, and I reside at 740 South Hale Street in Southern Pines. I am reaching out to express my concerns regarding the proposed Village Walk development located at 660 SW Service Road.

My neighborhood is located directly behind this project, along South Hale Street. While my neighbors and I understand that the development is still in its early stages, we would like to respectfully request that all construction traffic be routed exclusively via SW Service Road for both entry and exit to the site.

We believe that using SW Service Road for construction access—and eventually as the primary access for the Village Walk development—will significantly benefit both our neighborhood and the development itself. This route will help reduce the impact of construction-related traffic and noise, which could otherwise pose risks to the public health, safety, comfort, and general welfare of our community. Additionally, directing construction traffic away from South Hale Street will help minimize further wear and tear on a roadway that is already showing signs of damage from recent nearby construction activity.

Some of our neighbors were able to attend the recent neighborhood meeting held by Koontz Design. While that meeting was informative, many in the community still have broader concerns, and we trust that future opportunities will be provided for residents to voice those as the project progresses.

On behalf of the residents of our neighborhood, thank you for your time, consideration, and attention to this important matter.

Sincerely,

Nora Bowman

740 S Hale Street
Southern Pines, NC

NEIGHBORHOOD MEETING REPORT

DATE: March 26, 2025

PROJECT: Village Walk Cottage Court

LOCATION: 660 SW Service Rd
Southern Pines, NC 28387

SUBMITTED BY: Trevor Hansen

ATTENDEES: Trevor Hansen, Koontz Jones Design, PLLC
Devin Macfarlane, Koontz Jones Design, PLLC
Travis Greene, Moore HL Properties, Inc.

A Neighborhood Meeting was held on Thursday, March 20th, 2025, from 4:00pm to 6:00pm in the Center Room of the Southern Pines Train Station, located at 235 NW Broad Street in Southern Pines. The town of Southern Pines encourages applicants to hold a neighborhood meeting to provide citizens and property owners of affected areas with an opportunity to learn about applications for development approval. The owner and project team met with adjoining property owners to present the project and solicit feedback on the preliminary plans and exhibits for the proposed 2.8-acre "Village Walk Cottage Court" Conditional Zoning District. All adjoining property owners were notified by letter (see attached copy) a minimum of ten (10) days prior to the meeting.

The meeting was informal in nature, allowing property owners to attend at their convenience to review preliminary plans and exhibits and ask questions to the development team. No formal presentation was provided. Illustrative drawings of the overall master plan, architectural elevations, 3D model renderings, the submitted Conditional Zoning District narrative, and a site location map were provided for review by the owner's authorized agent. The owner and project team were available to answer questions regarding the proposed project.

Three individuals took the opportunity to attend the meeting, review plans, and discuss the project with the development team. A sign-in sheet requesting the name, address, and email address was kept and is attached to this document.

Trevor Hansen and Devin Macfarlane of Koontz Jones Design and Travis Green of Moore HL Properties were in attendance to provide information and review plans with attendees. Questions relating to aspect of the proposed development were raised and responded to by the project team. The following is a list of the questions posed by attendees and responses made by the project team:

- What is being proposed for the site?

- The project team showed plans and illustrative exhibits for the proposed development and provided a summary of what will be included in the development. It was explained that a total of 24 dwelling units, consisting of single-family detached cottages and multi-family attached quadplex units will be developed. It was explained to attendees where access will be provided, primarily from SW Service Rd as well as from Hale Street, overall proposed parking, and sidewalk accessibility along Hale Street. The project team highlighted that cottages will be appealing from both the front and rear of the units, with vegetation and fencing to buffer the development. Plans and exhibits were shown to explain the “Cottage Court” orientation with communal open space in the center of the development. It was explained that this proposed development reduces the number of dwelling units and the amount of required parking in comparison to the previously approved Special Use Permit for this site, filed by the previous landowner. Illustrative plans and illustrative exhibits were shown to help communicate the design intent and overall character of the proposed Cottage Court development.
- Why is this project going through the Conditional Zoning District process?
 - The project team explained the process of applying for a Conditional Zoning District. It was explained that going through a Conditional District rezoning would require us to establish site and project-specific conditions and deviations from the Town’s UDO standards, but that it will follow a recommended development pattern, Cottage Court, outlined in the Town’s Comprehensive Plan. It was also explained that there are no current UDO development and design standards for the proposed Cottage Court development pattern and that the Conditional Zoning District process was the only available process to approve this project type and create those standards for development.
- What is being done to deal with traffic in and out of the site?
 - The project team explained the requirements for site accessibility and fire code would require a minimum two points of egress. The project team also explained that the previously approved SUP and site plan allowed for more units (34) than the (24) units that we were proposing, and that the traffic into this development, if approved, would be less than the previous SUP approval.
- Is the applicant aware of the adjacent daycare next door?
 - The project team let the adjoining owners know they were aware of the daycare and noted that the proposed plan will include a six foot (6’) tall opaque fence running along the edge of the daycare property and the site will conform to all buffer requirements of the UDO.
- How will the development affect views across Hale Street?
 - The project team explained how the proposed development will feature attractive facades to both the back and front of all proposed structures, and the architectural style will be designed to reflect the character of historic craftsman homes in Southern Pines. It was explained that the site will conform with the buffer requirements of the UDO, and existing vegetation within the Hale St right-of-way will be preserved where possible.

- What will the proposed units cost?
 - The project team explained that unit costs have not been determined at this point in the process, but that the differing unit types and densities will offer a variety of pricing options. The owner is planning to sell the units, but there is a possibility that future owners may lease them out to renters.

The project team considered all comments and feedback from the attendees; however, it was determined that this did not warrant any revisions to the layout, design, and/or proposal of the submitted application.

A handwritten signature in black ink, appearing to read 'Trevor Hansen', enclosed in a rectangular box.

Trevor Hansen, PLA

These notes reflect the author's interpretation of the events during the referenced meeting. Any additions or modifications required should be submitted to the author in writing.

Agenda Item

To: Reagan Parsons, Town Manager

Via: BJ Grieve, Planning Director

From: Alaina Mallette, Senior Planner

Subject: MAPP-01-25: Request to Subdivide Five Adjoining
Parcels Situated Between SW Service Road and S. Hale
Street into 16 Lots

Date: May 13, 2025

1. SUMMARY OF APPLICATION REQUEST

Trevor Hansen of Koontz Jones Design PLLC, on behalf of Moore HL Properties Inc., has submitted a request to rezone five parcels in between SW Service Road and S Hale Street from Office/Service (OS) to Residential Mixed Housing Conditional Zoning District (RM-1CD) with several proposed conditions. They have also submitted a watershed protection permit and major subdivision preliminary plat to subdivide +2.86 acres of land into 12 single-family 0.04-acre lots, three four-family 0.08-acre lots, and one common area 2.17-acre lot—a total of 16 lots.

2. PLANNING BOARD PRELIMINARY FORUM

A preliminary forum was opened and concluded on April 17, 2025. Planning staff presented a brief description of the subject parcel and staff's seven unresolved issues. Following staff's comments, Trevor Hansen of Koontz Jones Design (now, V3), agent for the Applicant, made a presentation to the Planning Board, providing an overview of the proposal.

Four members of the public and additional authorized agent (i.e., Bob Koontz of Koontz Jones Design/V3) also spoke during the forum. The members of the public who spoke and the Planning Board brought up concerns regarding high density of development, traffic impacts (access, speed and circulation within West Southern Pines/Highway 1, and increased traffic and congestion), monument signage that gives the appearance of gateway signage/name of the development, gentrification and affordability, fencing along S Hale Street, building orientation and height, setbacks, site lighting, and conversion of units to short-term rentals and ownership, generally. The Planning Board asked the Applicants questions regarding these concerns. The Applicant stated that they are not constructing the previously approved 32 units due to grading constraints, so three quadplexes were a feasible alternative to reach the proposed 24 units.

The Applicants discussed their vision for the courtyard cottage community. Regarding traffic concerns, the Applicant stated that 174 trips per day were estimated and that estimate is 72 trips per day less than the current (i.e., 2021) entitlement since there are eight fewer

buildings. For signage concerns, the Applicant said that the scale of monument signs was needed for visibility from the high-speed highway, but understood the concern regarding the community's heritage and the proposed name and scale of the signage. Gentrification and affordability was a concern, and the Applicant stated that they were integrating differing housing types to encourage mixed income, missing middle housing options as opposed to large apartment buildings.

Regarding fencing along S Hale Street, the Applicant says the image included in the packet appears opaquer than the actual design, and that they were willing to commit to at least 6% transparency along S Hale Street. The Applicant stated that they plan to do "two-sided architecture" on the single-family detached homes along S Hale Street, and that the grade of the land from the existing homes to the proposed development is around 10 feet, so the existing single-story homes would be on level with the second story of the proposed two-story homes. The Applicant clarified the requested setbacks and building separation, and stated that windows from adjacent buildings will be offset. The Applicant stated that site lighting will be subtle, downward-facing path lighting.

Regarding ownership, the Applicant stated that the single-family homes would convey on small lots and that the quadplexes would have one owner with units either condominiumized or rented, depending on the market. The Planning Board and audience were concerned with (short-term and long-term) rental units discouraging long-term residents. With regards to the garages, the ownership was unclear about whether they convey separately or are owned by the proposed homeowners' association.

After closing the forum, the Planning Board concluded the conversations without a vote to transmit a list of issues to the Town Council. A motion was made to list eleven additional concerns that the body believed were not adequately addressed by the Applicant, which are listed below. The motion carried by a vote of 6-1 with Ms. Wade dissenting.

1. Insufficient commitment to retain the existing trees for the 30-foot buffer along SW Service Road, which would help preserve community character.
2. Fencing along S Hale Street is inconsistent with Comprehensive Plan Policy 7.2 and UDO §4.7(C), which discourages fences in front yards, and should be at least 60% transparent.
3. Courtyard-oriented (rather than S Hale Street-oriented) homes are inconsistent with Comprehensive Plan Policy 7.2. The Board recommends front-facing façade along S Hale Street or, alternatively, two-sided architecture (i.e., one façade facing S Hale Street and a second façade facing the interior courtyard).
4. There is no commitment to place the proposed 1.5-story homes with dormer along S Hale Street, which would be more consistent with the low-profile of homes within the West Southern Pines character district.
5. Monument signs along S Hale Street and SW Service Road are not consistent with the WSP Character District or the UDO, and should be limited to up to two four-foot pole-mounted ground signs.
6. Side and Highway yard buffer planting locations should meander in all cleared areas on each side considering an existing 20' sewer utility easement crossing the

- property lines, the proposed vehicle use areas (VUA) abutting the buffer, and proposed fences and building locations.
7. Inadequate looping of water main lines throughout the site. The conceptual utility plans should be updated.
 8. Traffic (i.e., patterns, congestion, and safety) impacts within West Southern Pines and along U.S. Highway 1.
 9. Impacts on existing infrastructure, especially water pressure.
 10. “Village Walk” as a development name is not consistent with the heritage of West Southern Pines.
 11. Quadplexes would preferably be for-sale condominiums rather than rental properties to encourage long-term residents.

Pursuant to NCGS §160D-301(b)(6), the Town Council is reminded that no part of the Planning Board’s discussion that took place on April 17, 2025, may be used as a basis for the Council’s decision on MAPP-01-25.

3. PROJECT INFORMATION

A. Property Information

i. Physical Addresses	ii. Property Owner/Applicant	iii. Authorized Agent
660 SW Service Rd		Trevor Hansen
PIN 857108887345	Travis Greene	Koontz Jones Design,
(PARID 96000398);	Moore HL Properties,	PLLC (now V3)
PIN 857108888362	Inc	140 Applecross Rd, Ste B
(PARID 00039171);	55 Walnut Creek Rd	Pinehurst, NC 28374
PIN 857108889334	Pinehurst, NC 28374	
(PARID 00033309);		
PIN 857108980445		
(PARID 00039172); and		
PIN 857100981555		
(PARID 20190151)		

B. Project Background and Site Information

i. Project Background and Zoning History

As of the writing of this staff report, the subject properties are presently zoned Office Services (OS). A previous rezoning request was made on the subject parcels to permit commercial mini- or self-storage, but was deemed inconsistent with the Comprehensive Plan at the time (Z-04-20), thus the rezoning request was denied. There is one prior approved entitlement: a conditional use permit to subdivide the properties into 20 lots, which was approved October 12, 2021. The record states that six rows of buildings with 32 dwelling units (i.e., townhomes) and two office commercial units (i.e., finance and insurance, real estate/rental/leasing, and business/professional services land uses) were approved. 0.3 acres of open space was also approved.

As of the opening of the evidentiary hearing, it is possible that the rezoning application being heard prior to the evidentiary hearing (i.e., Z-03-25 Village Walk)

will have been approved. In the instance that the rezoning request is approved, then the existing zoning district will become Residential Mixed Housing-1 conditional zoning district (RM-1 CD). Final conditions approved for Z-03-25 will be submitted into the record by either Planning Staff or the Applicant. In the instance that the rezoning request is denied or continued, then the effective zoning is as stated in the first paragraph of this sub-section.

Furthermore, the subject properties are completely within the Urban Transition Highway Corridor Overlay (HCO), West Southern Pines Overlay (WSPO), and the Little River Watershed Protection Overlay (WPO) for high quality protected waters.

ii. 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, which includes RM-1 zoning as an appropriate rezoning category.

Character District Map Designation: West Southern Pines (WSP). The WSP Character District predominantly contains buildings oriented toward a gridded street network. Mature trees, narrow streets, and low-profile homes on small lots is characteristic to the character district. Single-family detached homes on small lots, courtyard cottages, and stacked quadplexes are all considered appropriate residential building types in the WSP Character District. Development should prioritize infill, mix of uses, buildings one to three stories, and be walk-bike-auto-bus oriented. Regarding open space, there should be trails, common green, play fields, playgrounds, pocket parks, and/or community gardens. Monument and entrance signs are not consistent with the character, but ground signs mounted on poles or posts are consistent.

Figure 1. Zoning Vicinity Map of Subject Parcels (Outlined in White). As of the writing of the staff report, the subject parcel is zoned OS; however, if Z-03-25 is approved prior to the evidentiary hearing for MAPP-01-25, then the zoning will be RM-1 CD. Hashed lines represent WSPO and Urban Transition HCO, which both intersect with the subject parcels. Not shown: WPO, which also intersects the properties.

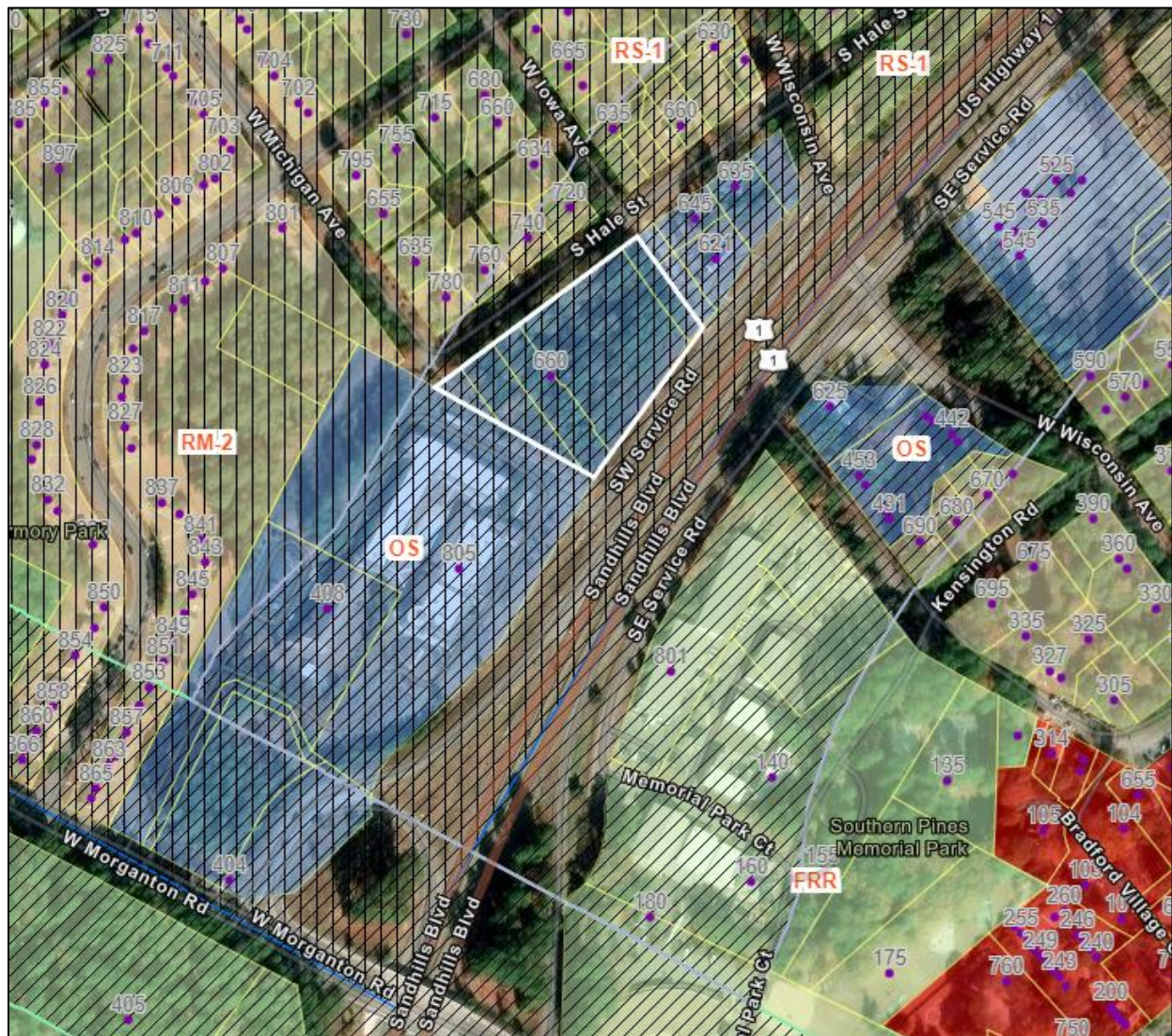


Figure 2. Drone Imagery of the Subject Parcels (Facing South)



MAPP-01-25 Village Walk Sub.



4. STAFF REVIEW

A. Application Review Dates

Pre-Application Meetings: **November 2023** and **October 2024**

Application Submitted: **March 27, 2025**

Application Complete: **March 27, 2024**

Updated Materials Submitted: **April 2, 2025**

Technical Review Committee Meeting: **March 18, 2025**

Planning Board Preliminary Forum Notice

Publication: **April 2, 2025** and **April 9, 2025**

Mail: **March 28, 2025**

Signage: **April 1, 2025**

Internet: **March 27, 2025**

Planning Board Agenda Meeting: **April 10, 2025**

Planning Board Regular Meeting: **April 17, 2025**

Town Council Public Hearing Notice

Publication: **April 30, 2025** and **May 7, 2025**

Mail: **April 25, 2025**

Signage: **April 1, 2025**

Internet: **April 24, 2025**

Town Council Evidentiary Hearing: **May 13, 2025**

B. Process of Review

Per UDO §2.19 General Subdivision Regulations and §2.20 Major Subdivision, the procedures for review and approval of a major subdivision require adherence to supplemental conditions. These sections of the UDO establish a process and standards to review and approve plats.

C. Standards for Review

UDO standards for approval criteria for a Major Subdivision Preliminary Plat are found in UDO §2.20.4(G), and apply to the review of this major subdivision preliminary plat.

D. Compliance with UDO §2.20.4(G) Major Subdivision Preliminary Plat Criteria. A major subdivision is permitted only if the applicant demonstrates that:

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

See “2040 Comprehensive Plan Designation for General Framework, Conservation and Development, and Character Districts” above for more information. Generally speaking, this area of SW Service Street and S Hale Street, 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 (recently considered) conditional zoning district would allow both single-family detached dwellings (LBCS 1111)—similar to what is all around it—and quadplexes (LBCS 1151) that transitions from the quadplexes along SW Service Road to the single-family homes on small lots along S Hale Street.

The site would include partially undisturbed street trees along S Hale Street and SW Service Road, as practicable (see Figure 2). No specific vegetation has been marked for protection, which means there is no assurance on which trees will be protected, but this will be reviewed during site plan review. The Applicant is proposing a system of sidewalk connections throughout the development and pocket parks connecting to new proposed sidewalk along S Hale Street, which is consistent with the area's vision to have interconnected usable open space.

Although zoning does not regulate ownership patterns, the 2040 Comprehensive Plan does address concerns related to short-term rentals (i.e., tourist homes). Although tourist homes provide diverse lodging options and economic benefit to property owners, it impacts resident quality of life, parking, affordable housing, transportation, and town services. Tourist homes are NOT currently permitted in RM-1 zoning. The Applicant may offer an HOA restriction on tourist homes, if it were to ever be permitted in RM-1 zoning.

Furthermore, Comprehensive Plan Policy 7.2 states that (1) the scale of homes and spaces between them should convey a welcoming environment, including maximum fence height and minimum materials and landscaping; and (2) similar home types and styles should face each other on a street. The proposed 26' 6" home would be most appropriate along S Hale Street considering the low-profile of the homes within the surrounding area. The Applicant may offer an HOA restriction on building height along S Hale Street.

Parking within WSP Character District is envisioned to be street, public lot, or driveway access, not a private lot as is proposed. However, the housing density, surrounding area, and site design—especially the inclusion two-story garages—are all factors to consider when determine appropriateness of proposed parking. All parking spaces are on the edges of the site with the buildings facing the center courtyard. Planning believes that effective landscaping for stormwater management and disturbed utility easement landscaping would reduce the impact of the private lot and building rear elevations on adjacent properties. The Applicant's condition on the district regarding cleared areas planted to buffer standards states "...side yard buffers shall be allowed to meander into all cleared areas." Additionally, the Applicant has stated to staff that they want to wait until site plan review to commit to any landscape within proposed stormwater and disturbed utility easement areas.

In summary, with the approval of a Conditional Zoning District as presented at the May 13, 2025 public hearing, the proposed preliminary plat is mostly consistent with the 2040 Comprehensive Plan's vision of adding a mixture of housing densities, creating gathering spaces, and protecting some of the existing trees on the site.

2. *The proposed Subdivision complies with the UDO and applicable state and federal regulations;*

A buffer reduction is requested in the highway yard from the required 50' to 30', considering the location of the sewer utility easement. There is also requested reduction in the minimum 25' side buffers to a proposed minimum of 15'. Simultaneously, there is (1) already a 20' sewer utility easement crossing the property line that cannot have deep-rooted plantings like shrubs or trees, (2) a proposed vehicle use area (VUA) abutting the buffer, and (3) a proposed fence. Considering these reductions and constraints, staff believe plantings in the stormwater pond and utility easement that do not impact function—such as wildflower mixes, grasses, trees, and shrubs—would be appropriate to meet the intent of the landscaping code and match neighborhood character.

The five health, safety, or welfare concerns that have been shared with Planning staff by referral agencies and the public at this time, and are as follows:

1. **Regional Land Use Advisory Commission (RLUAC) Comments.** RLUAC identified the properties as “Important Areas to Protect” due to their location within the watershed’s high-quality water drainage area. RLUAC suggests that the Applicant limit stormwater runoff impacts. The Watershed Protection Permit would permit up to 70% impervious surface on the site, if approved. The Applicant is proposing less than the maximum allocation permitted, if approved, i.e., 58% impervious surface. Furthermore, the Applicant will be required to keep the current runoff for a heavy rain event at or below the current rate, and the Applicant intends to do so with an on-site stormwater pond. Therefore, staff believe that this concern has been properly mitigated.
2. **NC DOT Comments.** The NC DOT’s comments are in Attachment 6 for reference. Town staff have noted all of the NC DOT comments and will ensure that all requested information is submitted with the engineered site plan, which is reviewed by the Technical Review Committee following rezoning and major subdivision approvals.
3. **Water Pressure.** The Public Works Superintendent and the Town Engineer have stated to Planning staff that the surrounding area is unlikely to experience any noticeable drop in water pressure due to sufficient capacity and flows. If residents experience a drop in water pressure, they should reach out to the Public Works department as it may be an indicator of a different issues.
4. **Water Line Looping.** The Applicant has withdrawn their conceptual utility plan so that they can submit a fully engineered plan during site plan review. There are existing water and sewer lines adjacent and within the site.

5. **Traffic.** The Applicant stated in the first hearing that there will be an estimated 174 average daily vehicular trips. A traffic design analysis is required by the UDO when 200 average daily trips are estimated, therefore, one was not requested by the Public Works Department. It is inevitable that future residents within the Village Walk community will transverse the West Southern Pines community in addition to SW Service Road. The community is likely to feel the impacts considering the presence of new residents in the neighborhood.

Based on the application materials and routine analysis of the subject parcels and surrounding areas, staff believe that health, safety, and welfare concerns can be properly addressed during site plan review with the Technical Review Committee. Planning staff do not find any additional areas of potential non-compliance, especially considering the Applicant's conditioned zoning district, narrative, conceptual site plan and subdivision preliminary plat. Therefore, no additional concerns have been noted.

3. *The proposed Subdivision, including its lot sizes, density, access, and circulation, is compatible with the existing and/or permissible zoning and future land use of adjacent property;*

See staff comments in Section 3.B.i. of this staff report regarding existing entitlement at time of writing the report versus a potential approved rezoning to RM-1 CD for Z-03-25 Village Walk heard prior to the scheduled evidentiary hearing. If Z-03-25 is approved prior to the evidentiary hearing, then the proposed site layout is compatible with the approved zoning. If not, then Planning staff recommend either denying or continuing the application until a rezoning has been approved.

4. *The proposed Subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties;*

See staff comments in Criterion 2 (i.e., section 4.D.2) of this staff report regarding potential health, safety, and welfare impacts on adjacent properties and uses. Based on the application materials and routine analysis of the subject parcels and surrounding areas, staff believe that health, safety, and welfare concerns can be properly addressed during site plan review with the Technical Review Committee. Planning staff do not find any additional areas of potential non-compliance, especially considering the Applicant's conditioned zoning district, narrative, conceptual site plan and subdivision preliminary plat. Therefore, no concerns have been noted.

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

Town utilities are readily available for extension to these proposed units, and town staff do not anticipate any issues in accommodating the proposed

service. Proper spacing of fire hydrants will be reviewed during site plan review. Therefore, Staff believe that Criterion 5 is met.

E. General Staff Comments

If the rezoning has been approved as presented at the May 13, 2025 hearing, then Planning staff believe that the applicant has met all applicable subdivision criteria.

F. Outside Agency and Neighborhood Meeting Comments:

A request for comments on the rezoning application was emailed to agencies on March 20, 2025; and for the major subdivision preliminary plat on March 27, 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 submitted a letter dated March 22, 2025, and follow-up email on March 28, 2025, and NCDOT submitted an email on April 7, 2025 (see Attachment 6), which have been discussed in section 4.D.2 of this staff report.

The application was discussed with members of the Technical Review Committee on March 18, 2025. All comments have been reflected in this staff report. Any additional agency or public comment received prior to the public hearing will be shared during staff's presentation.

5. ATTACHMENTS¹

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

1. Staff-Prepared Drafted Findings of Fact
2. Preliminary Plat Applications and Agent Authorization
3. Narrative
4. Preliminary Plat
5. Agency Comments

¹ Additional documentation, including but not limited to, the parcel deeds and estate executor power-of-attorney is available for review as a public document at the Town of Southern Pines planning office.

6. TOWN COUNCIL ACTION

To either approve or deny a Preliminary Plat application, the Town Council must make findings of fact and conclusions to the applicable standards.

- *The Town Council shall first vote on whether the application is complete and whether the facts presented are relevant to the case.*
- *The Town Council shall then vote on whether the application complies with the criteria as set forth in Section 2.20.4(G) Criteria for a Preliminary Plat, Criteria 1-5. Staff have drafted a finding of fact for consideration in Attachment 1. The Town Council may make modifications or provide an alternative to the draft findings of fact and related motions at their discretion.*

* * *

I move to:

1. **Adopt Attachment 1 of the staff report, as drafted, as Findings of Fact regarding the proposed Preliminary Plat MAPP-01-25.**

- OR -

2. Adopt Attachment 1 of the staff report as Findings of Fact regarding the proposed Preliminary Plat MAPP-01-25, with the following changes:

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

I move to:

1. **Approve the Preliminary Plat MAPP-01-25;**

- OR -

2. **Deny the Preliminary Plat MAPP-01-25;**

- OR -

3. **Approve the Preliminary Plat MAPP-01-25 with the following additional condition(s):**

ATTACHMENT 1

Draft Town Council Findings of Fact Preliminary Plat Application MAPP-01-25

FINDINGS OF FACT

- A. The Town Council finds that the application is complete and that the facts submitted are relevant to the case because the request for Major Subdivision Preliminary Plat approval has met the specified submittal requirements as required in the Town of Southern Pines UDO Appendices, the applicants have submitted adequate evidence addressing criteria for a Preliminary Plat, and the evidence submitted was sworn testimony by qualified experts or provided through substantiated documentation.
- B. The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 1 (the application is consistent with the Comprehensive Plan, as well as other adopted plans for streets, alleys, parks, playgrounds, and public utility facilities). The Preliminary Plat aligns with the 2040 Comprehensive Plan. The proposed subdivision is consistent with the General Framework Map and Conservation and Development Maps, which categorize the site as an “Area to Enhance” and “Neighborhood,” respectively. Areas of inconsistency were adequately mitigated during review of the rezoning request for a conditional zoning district (i.e., file #Z-03-25). Site access and utility connections, provided by Town of Southern Pines Public Works, are both readily available.
- C. The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 2 (the proposed subdivision complies with the UDO and applicable state and federal regulations) in that applicable regulations mentioned in agency comments will be addressed during site plan review and are unlikely to impact the proposed lot layout.
- D. The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 3 (the proposed Subdivision, including its Lot sizes, density, access, and circulation, is compatible with the existing and/or permissible zoning and future land use of adjacent property) in that the applicant is following Urban Transition Highway Overlay and RM-1 standards from the UDO with the exception of several proposed development standard modifications that were established and approved in rezoning file #Z-03-25, all of which are consistent with those proposed in the preliminary plat.
- E. The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 4 (the proposed subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties) in that the project does not present a safety or viability concern for the surrounding area. Conditions of the conditional zoning district (i.e., Z-03-25) sufficiently mitigated negative impacts on adjacent properties and the Town Council have not identified other safety or viability concerns.
- F. The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 5 (the proposed public facilities are adequate to serve the normal and emergency demands of the proposed development, and to provide for the efficient and timely extension to serve future

development) in that town utilities are readily available for extension to the proposed lots and site plan review by the Technical Review Committee will ensure that the site adequately meets water, fire flow, and sewer requirements.



Major Subdivision Preliminary Plat Application

Date Received: _____ Case No.: S-____-____

Subdivision Name: Village Walk Cottage Court Street Address: 660 SW Service Rd. Southern Pines, NC 28387
PIN: 857108887345; 857108889334; 857108980445; 857100981555 Parcel ID: 96000398; 00039171; 00039172; 20190151 Zoning District: CZ-RM-1
Project acreage in: Lots 0.56 + Roads 0.70 + Open Space 0.48 + Common Area 1.12
+ Other (describe) _____ = Total Project Acreage 2.86 AC
Number of Lots: 16 Minimum Lot Size: 1,695 SQ. FT. (0.04 AC) Setbacks: 0' Front, 0' Interior Side, 0' Exterior Side, 0' Rear (10' Min. Building Separation)
Highway Corridor Overlay: Yes/No Yes If yes, Urban Village _____ Urban Transition X Rural Hwy _____
Watershed: Yes/No Yes If yes, LR #2: X LR Vass: _____ Nicks Creek: _____ HQW: Yes/No Yes
Does the site contain a Special Flood Hazard Area: Yes/No No Does the site contain wetlands: Yes/No No

Applicant:

Name: Koontz Jones Design, PLLC
Phone: 910-684-8487 Email: thansen@koontzjones.com
Mailing Address: 140 Applecross Rd. Suite B, Pinehurst NC, 28374

Contact Person, if different from Applicant:

Name: _____
Phone: _____ Email: _____
Mailing Address: _____

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

Name(s): Moore HL Properties, Inc.
Phone: 910-295-5973 Email: carolinabuilder@gmail.com
Mailing Address: 55 Walnut Creek Road

Date: _____ Signature of Applicant _____

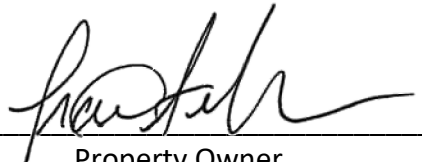
APPOINTMENT OF AGENT

The undersigned owner(s), Moore HL Properties, Inc., hereby appoint(s) Koontz Jones Design, PLLC as the exclusive agent for the purpose of making an application to the Town of Southern Pines for approval of a Major Subdivision of the property described in the attached application. The owner(s) hereby agree that this agent has the authority to act for and on behalf of the owner(s) as follows:

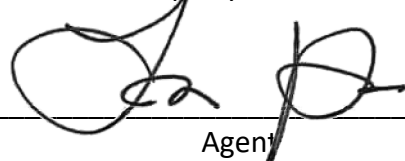
1. to submit an application and required supplemental materials;
2. to appear at public meetings and give representation and comments on behalf of the owner(s);
3. to accept conditions or recommendations made by the Town of Southern Pines Planning Board and Town Council for the approval of a Major Subdivision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

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

Signed this 27 day of March, 2025.



Property Owner

Property Owner


Agent

**VILLAGE WALK COTTAGE COURT
MAJOR SUBDIVISION JUSTIFICATION**

Below are listed the six (6) criteria required to approve a Major Subdivision application as described in Section 2.20.4 (G) Criteria of the Town of Southern Pines UDO. Following the individual criteria is an explanation, indicated in **red**, describing how the project demonstrates compliance with each of these criteria.

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

Not Applicable.

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

The proposed application conforms to all standards set forth in the CZD-RM-1 district and the development standards within the UDO. This project is also consistent with the goals and objectives of the 2040 Comprehensive Plan and establishes a development pattern that is in context with the surrounding neighborhood and the projects in this area of Southern Pines.

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

The proposed development complies with the UDO and will meet all the requirements outlined for the Conditional Zoning District, in addition to applicable state and federal regulations.

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

The proposed development corresponds with and meets all standards and requirements set forth in the Village Walk CZD-RM-1 application, narrative, and list of conditions and conforms to the standards of the UDO. All uses are consistent with the proposed development program and allowable uses within the underlying zoning district. The development of twelve (12) single-family detached residential and three (3) Quadplex multi-family lots is compatible with the Village Walk CZD-RM-1.

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

The units are densely clustered and oriented towards common green space gardens and shared amenities, with interconnected walking paths to foster community interaction and engagement amongst residents. The unique design is consistent with the Town's 2040 Comprehensive Plan providing "middle missing" housing options for both renters and owners at a scale that is compatible with the surrounding West Southern Pines Character District. The development will meet the Town's standards for an RM-1 district and offer a quality design with unique conditions and standards that reflect a



“Cottage Courtyard” development pattern, as recommended in the Town’s 2040 Comprehensive Plan. As a result, the use will not be detrimental to or endanger the public health, safety, comfort, or general welfare of the surrounding neighborhood.

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

Public water and sewer utilities are readily available for the project, any cost of which will be borne by the developer. Lots will have adequate access to accommodate emergency and waste removal vehicles.

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR VILLAGE WALK COTTAGE COURT

This Declaration of Covenants, Conditions, and Restrictions ("Declaration") is made this [DATE], by [DEVELOPER'S NAME], hereinafter referred to as "Declarant."

RECITALS

WHEREAS, the Declarant is the owner of certain real property located on SW Service Road in Southern Pines, Moore County, North Carolina, as more particularly described in Exhibit A attached hereto and made a part hereof (the "Property");

WHEREAS, the Declarant desires to create a residential community to be known as "Village Walk Cottage Court" (the "Subdivision") and to provide for the preservation of the values and amenities in said Subdivision and for the maintenance of the Common Areas, private roads, and other improvements;

WHEREAS, the Declarant desires to subject the Property to the provisions of this Declaration, which are intended to protect the value and desirability of the Subdivision and to be binding upon all persons having any right, title, or interest in the Property or any part thereof;

NOW, THEREFORE, the Declarant hereby declares that the Property shall be held, sold, and conveyed subject to the following easements, restrictions, covenants, and conditions, which are for the purpose of protecting the value and desirability of the Property and which shall run with the land and be binding on all parties having any right, title, or interest in the Property or any part thereof, and their heirs, successors, and assigns, and shall inure to the benefit of each Owner thereof.

ARTICLE I: DEFINITIONS

1. "Association" shall mean the Village Walk Cottage Court Homeowners Association, Inc., a North Carolina nonprofit corporation, its successors, and assigns.

2. "Common Area" shall mean all real property and improvements thereon owned by the Association for the common use and enjoyment of the Owners, including, but not limited to, private roads, green spaces, and landscaped areas.
3. "Lot" shall mean any numbered plot of land shown on the recorded subdivision plat of the Property, which is intended for development as a townhome.
4. "Owner" shall mean the record owner, whether one or more persons or entities, of fee simple title to any Lot within the Subdivision, including contract sellers but excluding those having such interest merely as security for the performance of an obligation.
5. "Declarant" shall mean [DEVELOPER'S NAME], its successors, and assigns, if such successors or assigns should acquire more than one undeveloped Lot from the Declarant for the purpose of development.
6. "Subdivision" shall refer to the planned community known as Village Walk Cottage Court, located on SW Service Road in Southern Pines, North Carolina.

ARTICLE II: PROPERTY RIGHTS

1. Owner's Easement of Enjoyment: Every Owner shall have a right and easement of enjoyment in and to the Common Area, which shall be appurtenant to and shall pass with the title to every Lot, subject to the following provisions:

- The right of the Association to establish reasonable rules and regulations governing the use of the Common Area.
- The right of the Association to suspend the voting rights and rights to use the Common Area by an Owner for any period during which any assessment against such Owner's Lot remains unpaid, and for a period not to exceed sixty (60) days for any infraction of its published rules and regulations.
- The right of the Association to dedicate or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the Members.

2. Private Roads: The roads within the Subdivision are private and shall be maintained by the Association. No Owner shall block, obstruct, or hinder traffic on the private roads. The Association may adopt rules regulating parking and speed limits on private roads.

ARTICLE III: HOMEOWNERS ASSOCIATION

1. Membership: Every Owner of a Lot within the Subdivision shall automatically be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any Lot.

2. Voting Rights:

- Declarant Voting Rights: The Declarant shall be entitled to ten (10) votes for each Lot they own within the Subdivision. This special voting right shall continue until the Declarant no longer owns any Lots or until the Declarant voluntarily relinquishes this right in writing.

- Owner Voting Rights: After the Declarant no longer owns any Lots or relinquishes the special voting rights, each Lot shall have one (1) vote in the Association.

- Voting rights are subject to suspension as provided herein and in the Bylaws of the Association.

3. Board of Directors: The affairs of the Association shall be managed by a Board of Directors. The number, term, and qualifications of the Directors shall be as set forth in the Bylaws of the Association.

4. Assessments:

- Creation of the Lien and Personal Obligation of Assessments:** The Declarant, for each Lot owned within the Subdivision, hereby covenants, and each Owner of any Lot by acceptance of a deed therefor, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to pay to the Association: (1) annual assessments or charges; (2) special assessments for capital improvements; and (3) special assessments levied for emergency purposes. Such assessments, together with interest thereon and costs of collection, shall be a charge on the Lot and shall be a continuing lien upon the Lot against which each such assessment is made.

- Purpose of Assessments: The assessments levied by the Association shall be used exclusively to promote the recreation, health, safety, and welfare of the residents in the Subdivision and for the improvement and maintenance of the Common Areas, including the maintenance of private roads, open spaces, and landscaping.

ARTICLE IV: USE RESTRICTIONS

1. Residential Use: All Lots shall be used for residential purposes only. No trade, business, or commercial activity shall be conducted on any Lot, except for home offices or home-based businesses that do not generate customer traffic, noise, or other nuisances detectable outside of the dwelling.

2. Architectural Control:

- No structure, including any building, fence, wall, or other improvement, shall be commenced, erected, or maintained on any Lot, nor shall any exterior addition to or change or alteration therein be made, until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same have been submitted to and approved in writing by the Architectural Control Committee (ACC).

- The ACC shall consist of three (3) members appointed by the Declarant during the Development Period and by the Board of Directors thereafter. The ACC shall consider the harmony of external design with existing structures, location with respect to topography and finished grade elevation, and conformity with the overall aesthetic of the Subdivision.

3. Nuisances: No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood. Owners shall refrain from activities that generate excessive noise, odor, or pollution.

4. Parking and Vehicle Restrictions:

- Parking shall be restricted to private driveways and garages. No vehicles shall be parked on the streets or Common Areas, except in designated guest parking spaces.

- Commercial vehicles, trailers, boats, and recreational vehicles shall not be parked on any Lot or street within the Subdivision unless stored in a garage or otherwise concealed from public view.

5. Pets:

- A maximum of two (2) household pets may be kept, provided they are not kept, bred, or maintained for commercial purposes. Pets shall be restrained at all times when outside the dwelling and must not create excessive noise or disturbance.

- Owners shall be responsible for cleaning up after their pets in the Common Areas.

6. Trash and Recycling:

- Trash service is provided by the town. Trash and recycling containers shall be stored out of view from the street, except on collection days when they may be placed at the curb.

- All garbage and recycling must be placed in secure, approved containers.

7. Lawn and Open Space Maintenance:

- The Association shall be responsible for the maintenance of all lawns and open spaces within the Subdivision, including mowing, fertilizing, and landscaping.
- No Owner shall alter, landscape, or plant in these areas without the prior written approval of the Association.

ARTICLE V: INSURANCE AND MAINTENANCE

1. Insurance:*

- The Association shall maintain adequate property insurance covering the Common Areas and any improvements thereon against loss or damage by fire, flood, storm, and other hazards, including liability insurance covering the Common Areas and the Board of Directors.
- Each Owner shall be responsible for obtaining insurance coverage for their Lot and townhome, including casualty, liability, and flood insurance if applicable.

2. Maintenance:

- The Association shall maintain the Common Areas, including roads, open spaces, and landscaping. Maintenance shall include, but not be limited to, repair, replacement, and upkeep of all common facilities, utilities, and infrastructure.
- Each Owner shall maintain their townhome and Lot in good condition and repair, including, but not limited to, exterior surfaces, roofs, windows, doors, and landscaping within the Lot boundaries.

ARTICLE VI: EASEMENTS

1. Utility Easements: There is hereby reserved a blanket easement over, under

, and through the Subdivision for the installation, repair, and maintenance of utilities, including but not limited to water, sewer, electricity, gas, cable television, and telecommunications.

2. Ingress and Egress: Easements for ingress and egress over private roads are hereby established for the benefit of all Owners and the Association. No Owner shall obstruct or interfere with the use of these easements.

3. Drainage Easements: Easements for drainage facilities are hereby reserved, and no structure or improvement shall be placed within such easements that would interfere with the flow of water or maintenance of drainage systems.

ARTICLE VII: AMENDMENT

1. Amendment by Declarant: The Declarant reserves the right to unilaterally amend this Declaration for so long as the Declarant owns any Lot within the Subdivision. Any amendment by the Declarant shall be consistent with the general purposes of this Declaration.

2. Amendment by Owners: After the Declarant no longer owns any Lots, this Declaration may be amended by a vote of two-thirds (2/3) of the Owners, with each Lot receiving one vote. Amendments shall be recorded in the public records of Moore County, North Carolina, to be effective.

ARTICLE VIII: GENERAL PROVISIONS

1. Enforcement: The Association or any Owner shall have the right to enforce, by proceedings at law or in equity, all covenants, restrictions, easements, and liens now or hereafter imposed by this Declaration. Failure to enforce any provision hereof shall in no event be deemed a waiver of the right to do so thereafter.

2. Severability: Invalidation of any provision of this Declaration by judgment or court order shall not affect any other provisions, which shall remain in full force and effect.

3. Duration: The covenants and restrictions of this Declaration shall run with and bind the land, and shall inure to the benefit of and be enforceable by the Association, the Declarant, and any Owner, their respective legal representatives, heirs, successors, and assigns, for a term of fifty (50) years from the date this Declaration is recorded, after which time they shall automatically extend for successive periods of ten (10) years unless an instrument signed by the then-Owners of two-thirds (2/3) of the Lots has been recorded agreeing to terminate or amend these covenants.

4. Interpretation: The provisions of this Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for the development and operation of a residential community.

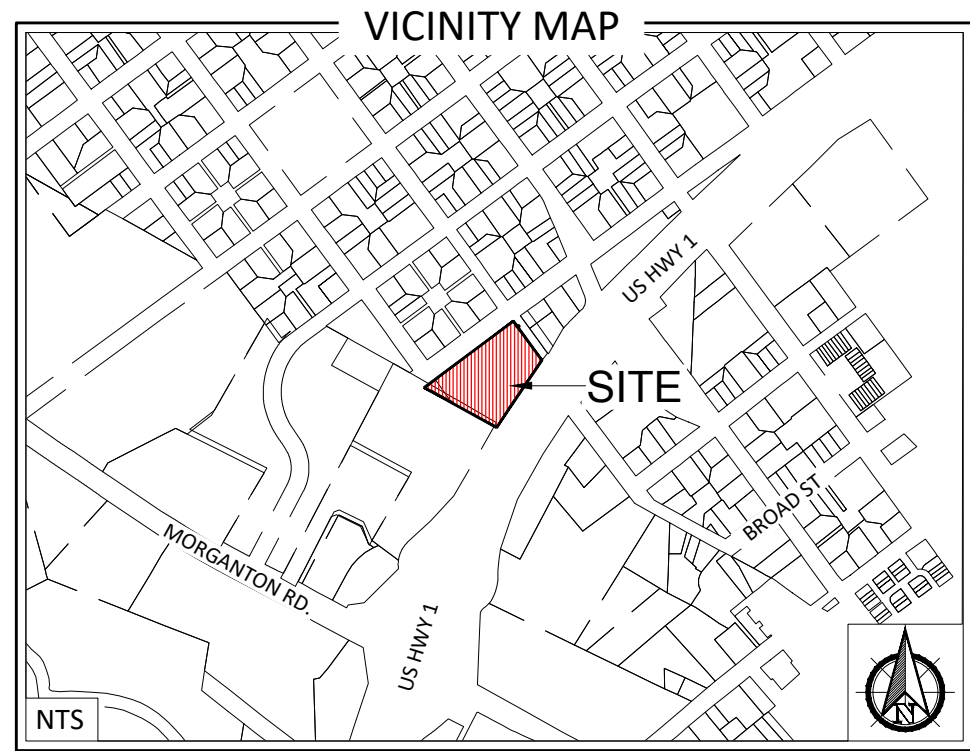
Headings are for convenience only and shall not affect the meaning or interpretation of any provision herein.

IN WITNESS WHEREOF, the Declarant has executed this Declaration on the day and year first above written.

[DEVELOPER'S NAME]

[DEVELOPER'S SIGNATURE]

EXHIBIT A: Legal Description of Property



SUB LOT SETBACKS

SETBACKS (ZERO LOT LINES):
FRONT: 0'
SIDE: 0'
REAR: 0'

FINAL BUILDING FOOTPRINT MAY BE LOCATED ANYWHERE WITHIN THE LOT, PROVIDED A 10' MINIMUM SEPARATION BETWEEN ADJACENT BUILDINGS IS MAINTAINED.

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: 8571
MAP(S): 3710857100J
DATE: OCTOBER 17, 2006

ZONING INFORMATION

EXISTING ZONING CLASSIFICATION:
OS: OFFICE SERVICES

PROPOSED ZONING CLASSIFICATION:
CZD-RM-1: CONDITIONAL ZONING DISTRICT

OVERALL PROJECT SETBACKS
FRONT: 20' (REQUESTED REDUCTION UP TO 75% OF 25')
INTERIOR SIDE: 10'
EXTERIOR SIDE: 15'
REAR: 30'

MAX BUILDING HEIGHT: 45'

PROPERTY INFORMATION

PROPERTY OWNER/APPLICANT:
MOORE HL PROPERTIES, LLC.
55 WALNUT CREEK ROAD
PINEHURST, NC 28374

PROPERTY ADDRESS:
660 SW SERVICE RD
SOUTHERN PINES, NC 28387

PARCEL 1:
PIN: 857108887345
DB: 5784 PG: 506
ZONING: OS

PARCEL 2:
PIN: 857108888362
DB: 5784 PG: 506
ZONING: OS

PARCEL 3:
PIN: 857108889334
DB: 5784 PG: 506
ZONING: OS

PARCEL 4:
PIN: 857108980445
DB: 5784 PG: 506
ZONING: OS

PARCEL 5:
PIN: 857100981555
DB: 5784 PG: 506
ZONING: OS

TOTAL ACREAGE: ±2.86 AC

PROPOSED IMPERVIOUS SURFACE: ±70,317 SF
(±1.61 AC) 57.7% OF OVERALL PARCEL

REQUIRED OPEN SPACE: ±0.29 AC (10.0% OF SITE)
PROPOSED OPEN SPACE: ±0.50 AC (17.5% OF SITE)

RESIDENTIAL
(2-3)-BEDROOM COTTAGES: 12 UNITS
(3) FOURPLEX BUILDINGS / (1-3) BEDROOM: 12 UNITS

TOTAL UNITS: 24 UNITS / 8.4 DUA

PARKING REQUIREMENTS:
(2-3)-BEDROOM @ 2 SPACES PER UNIT + 1 SPACE PER 5 DWELLING UNITS:
= 26 SPACES REQUIRED
FOURPLEX @ 2 SPACES PER UNIT + 1 SPACE PER 5 DWELLING UNITS:
= 27 SPACES REQUIRED

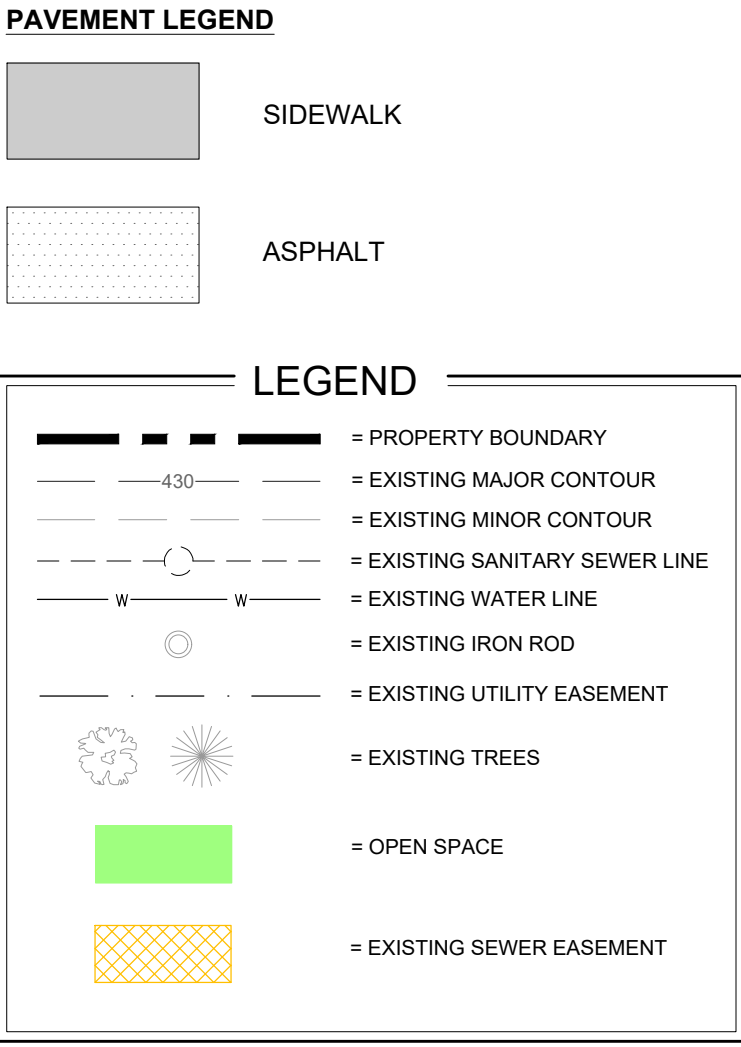
TOTAL VEHICLE PARKING SPACES REQUIRED: 53
TOTAL BICYCLE PARKING SPACES REQUIRED: 2

GARAGE PARKING
= 12 VEHICLE SPACES PROVIDED
SURFACE PARKING
= 41 VEHICLE SPACES PROVIDED
= 2 BICYCLE SPACES PROVIDED

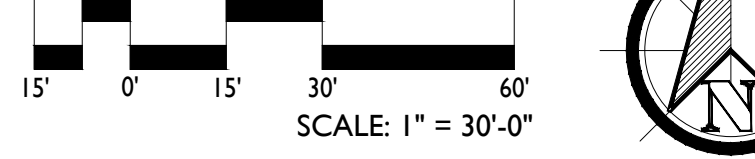
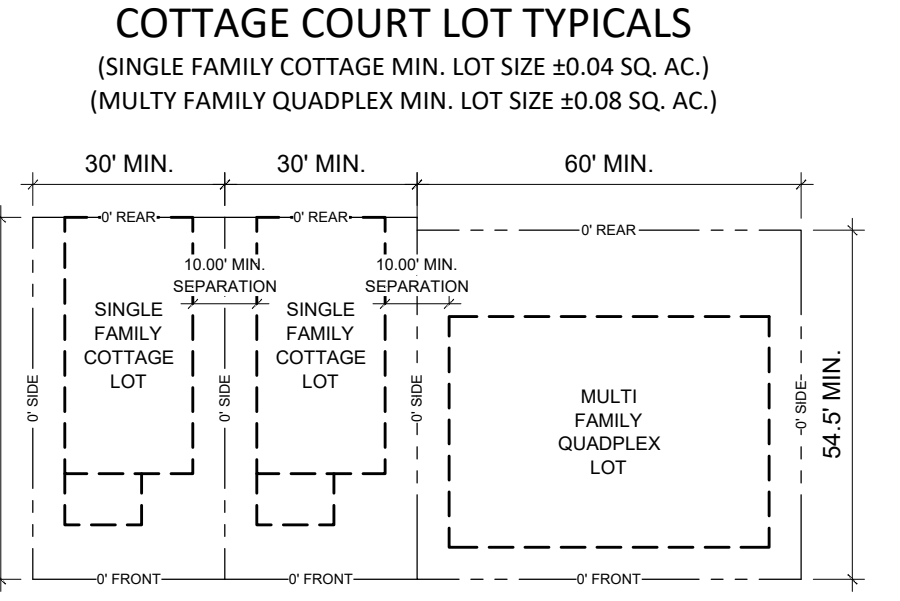
TOTAL VEHICLE AND BICYCLE PARKING SPACES PROVIDED: 55

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 BY THE CONTRACTOR.



LOT TABLE		
SINGLE FAMILY COTTAGE #1	LOT 1	±1,809 SF
SINGLE FAMILY COTTAGE #2	LOT 2	±1,809 SF
SINGLE FAMILY COTTAGE #3	LOT 3	±1,695 SF
SINGLE FAMILY COTTAGE #4	LOT 4	±1,695 SF
SINGLE FAMILY COTTAGE #5	LOT 5	±1,695 SF
SINGLE FAMILY COTTAGE #6	LOT 6	±1,695 SF
SINGLE FAMILY COTTAGE #7	LOT 7	±1,704 SF
SINGLE FAMILY COTTAGE #8	LOT 8	±1,704 SF
SINGLE FAMILY COTTAGE #9	LOT 9	±1,653 SF
SINGLE FAMILY COTTAGE #10	LOT 10	±1,742 SF
SINGLE FAMILY COTTAGE #11	LOT 11	±1,742 SF
SINGLE FAMILY COTTAGE #12	LOT 12	±1,742 SF
MULTI FAMILY QUADPLEX #1	LOT 13	±3,847 SF
MULTI FAMILY QUADPLEX #2	LOT 14	±3,270 SF
MULTI FAMILY QUADPLEX #3	LOT 15	±3,780 SF
COMMON AREA	LOT 16	±93,000 SF



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

KOONTZJONESDesign
LAND PLANNING | LANDSCAPE ARCHITECTURE

140 APLECROSS RD., SUITE B
PINEHURST, NC 28374
P: (910) 684-6467
W: www.koontzjones.com

REVISIONS:
1. 2025/05/02 - REVISIONS

VILLAGE WALK COTTAGE COURT
PRELIMINARY PLAT
SOUTHERN PINES, NORTH CAROLINA
CONCEPTUAL SITE PLAN

DATE: 2025-04-02
DESIGNED BY: TWVH
DRAWN BY: CN
CHECKED BY: REK
SCALE: 1" = 30'-0"
PROJECT #: KID22102
SHEET NUMBER: L-1.1

From: [Jones, DeAngelo J](#)
To: [Cindy Williams](#); [Archie Daniel](#); [Cory Albers](#); [David Byrd](#); [Director](#); [Greg Thompson](#); [James Michel](#); [Ken Skipper](#); [JuarezPozos, Dagoberto](#); ncsandhillsrcw@fws.gov; [Cloutier, Rick](#); [Ron Istre](#)
Cc: [Alaina Mallette](#)
Subject: RE: [External] Z-03-25 Village Walk Conditional Zoning District
Date: Monday, April 7, 2025 3:13:10 PM
Attachments: [image001.png](#)

Hello Cindy

I have reviewed the plans for Village Walk Cottage Court. Comments are as follows:

1. A driveway permit will be required for the connection on the SW Service Road (SR 1872)
2. A 3-party encroachment will be required for the water main tie-ins along the SW Service Road (SR 1872).
3. Show impacts of utility conflicts with existing drainage system. Show how driveway drainage will interface with existing drainage system.
4. Provide grading and drainage plan.
5. Design detail of the proposed driveway connecting to SR 1872 is required.
6. Provide driveway profile .
7. Provide additional detail of the water main location relative to the edge of pavement of US 1 needs to be shown.
8. Please indicate existing sewer main on the plans.

If there are any additional questions please let me know.

Have a great day!

DeAngelo J. Jones

Senior Assistant District Engineer
North Carolina Department of Transportation
Division of Highways
Division 8, District 2

(910)944-7621
djjones1@ncdot.gov

902 N Sandhills Blvd
PO Box 1067
Aberdeen, NC 28315





TOWN OF SOUTHERN PINES COURTESY REVIEW

Case: Z-03-25 – Village Walk

Location: Between South Hale Street and US Highway 1

PIN#s: 857108887345, 857108888362, 857108889334, 857108980445, and 857100981555

March 22, 2025

Following a review of the above referenced application by the RLUAC Land Use Committee, it has been determined that:

- The site is designated as Important to Protect in the Fort Bragg Compatible Use Rating system due to its location within a designated High Quality Waters drainage area (Mill Creek HQW Management Area).

RLUAC encourages the Town of Southern Pines and the owner / developer to take such measures as are feasible to limit the impact of stormwater runoff from the future development of the site on McDeeds Creek (a tributary of Mill Creek) and the Mill Creek High Quality Waters Management Area. Maintaining the integrity of important environmental assets contributes to the overall compatibility of our region with Fort Bragg's environmental protection mission, which goes hand-in-hand with its military training and operational missions. Beyond the potential environmental impact of the proposed development, the nature of the use proposed for the site does not present any compatibility concerns with regard to military training or operations.

While RLUAC's findings and recommendations are non-binding on the Town of Southern Pines, their consideration and incorporation into your review of this case will help to improve compatibility outcomes for our region as a whole by protecting Fort Bragg's military training and operational missions.

Thank you for allowing RLUAC to review this case.

Kia Anthony, Chairman

Vagn K. Hansen II, AICP, Executive Director

From: [Director](#)
To: [Cindy Williams](#)
Subject: Re: MAPP-01-25 Village Walk Major Subdivision
Date: Friday, March 28, 2025 11:55:57 AM

Cindy,

The comment letter provided for the conditional zoning case for the subject property is applicable to the subdivision review as well.

Thanks,

Vagn

Vagn K. Hansen II, AICP, Executive Director
Regional Land Use Advisory Commission
6205 Raeford Road

Fayetteville, NC 28304

(910) 398-3743

director@rluac.com

www.rluac.com

On Thu, Mar 27, 2025 at 1:43 PM Cindy Williams <CWilliams@southernpines.net> wrote:

Good afternoon,

Please review the attached Notice and site plan and respond with any comments or concerns at your earliest convenience.

Sincerely,

Cindy Williams

From: [Nora Bowman](#)
To: [James Michel](#)
Cc: [Alaina Mallette](#); [BJ Grieve](#)
Subject: Concern Regarding Village Walk Development
Date: Wednesday, April 9, 2025 5:20:50 PM

Dear Town of Southern Pines Planning Department,

My name is Nora Bowman, and I reside at 740 South Hale Street in Southern Pines. I am reaching out to express my concerns regarding the proposed Village Walk development located at 660 SW Service Road.

My neighborhood is located directly behind this project, along South Hale Street. While my neighbors and I understand that the development is still in its early stages, we would like to respectfully request that all construction traffic be routed exclusively via SW Service Road for both entry and exit to the site.

We believe that using SW Service Road for construction access—and eventually as the primary access for the Village Walk development—will significantly benefit both our neighborhood and the development itself. This route will help reduce the impact of construction-related traffic and noise, which could otherwise pose risks to the public health, safety, comfort, and general welfare of our community. Additionally, directing construction traffic away from South Hale Street will help minimize further wear and tear on a roadway that is already showing signs of damage from recent nearby construction activity.

Some of our neighbors were able to attend the recent neighborhood meeting held by Koontz Design. While that meeting was informative, many in the community still have broader concerns, and we trust that future opportunities will be provided for residents to voice those as the project progresses.

On behalf of the residents of our neighborhood, thank you for your time, consideration, and attention to this important matter.

Sincerely,

Nora Bowman

740 S Hale Street
Southern Pines, NC



**ORDINANCE #3114
AMENDING CHAPTER 70 THE TOWN’S CODE OF ORDINANCES
TO REDEFINE THE PERMITTED PARKING LOCATIONS AND ELIMINATING CHAPTER
71 ENTIRELY**

WHEREAS, the Town of Southern Pines enforces regulations regarding permitted parking and the like; and

WHEREAS, Chapter 70 of the Town’s Code of Ordinances defines permitted parking locations and times;

BE IT ORDAINED by the Town Council of the Town of Southern Pines, North Carolina that the Town’s Code of Ordinances are amended as follows:

1. Amend the Code of Ordinances by adopting “Attachment A” in its entirety.
2. Amend the Code of Ordinances by deleting Chapter 71 in it’s entirety.
3. This ordinance amendment is effective May 13, 2025.

I certify that this ordinance was adopted by the Town Council of Southern Pines at its meeting of May 13, 2025 as shown in the minutes of the Town Council for that date.

Elizabeth Robertson, Town Clerk

DRAFT

ATTACHMENT A

The Town's Code of Ordinances is amended to alter the following section in Chapter 70, General Provisions.

CHAPTER 70: GENERAL PROVISIONS

§ 70.01 DEFINITIONS.

For the purpose of this title, the following definitions shall apply unless the context indicates or requires a different meaning.

ALL-TERRAIN VEHICLE or ATV. A motorized vehicle 50 inches or less in width that is designed to travel on three or more low-pressure tires and manufactured for off-highway use. The terms ALL-TERRAIN VEHICLE or ATV do not include a golf cart or a utility vehicle, as defined by G.S. § 20-4.01, or a riding lawn mower.

AUTHORIZED EMERGENCY VEHICLES. Vehicles of the Southern Pines Fire/Rescue and Police Departments, Moore County Emergency Medical Services and other governmental entities equipped with emergency warning devices and used for response to public safety emergencies.

BLOCK. The length of that portion of any street which is located between 2 street intersections.

BUSINESS DISTRICT. The territory contiguous to a street or highway where 75% or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business purposes.

CROSSWALKS. That portion of a roadway which lies between the prolongation of the lateral sidewalk or boundary lines over an intersection, or any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

DRIVER. The operator of a vehicle as defined in this section. The terms DRIVER and OPERATOR and their cognates are synonymous.

~~PUBLIC CONVEYANCE.~~ FOR HIRE PASSENGER VEHICLE. Any vehicle which is engaged in the business of transporting persons for fare.

HIGHWAY. The entire width between property or right-of-way lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter of right for the purposes of vehicular traffic. The terms HIGHWAY and STREET and their cognates are synonymous.

INTERSECTION. The area embraced within the prolongation of the lateral curblines or, if none, then the lateral edge of roadway lines of 2 or more streets or highways which join 1 another at any angle, whether or not 1 of the streets or highways crosses the other. Where a street or highway includes 2 roadways 30 feet or more apart, then every crossing of each roadway of the divided street or highway by an intersecting street or highway shall be regarded as a separate intersection. In the event that the intersecting street or highway also includes 2 roadways 30 feet or more apart, then every crossing of 2 roadways of those streets or highways shall be regarded as a separate intersection.

MINI-TRUCK. A motor vehicle designed, used, or maintained primarily for the transportation of property and having 4 wheels, an engine displacement of 660cc or less, an overall length of 130 inches or less, an overall height of 78 inches or less, and an overall width of 60 inches or less.

MOTOR VEHICLE. Every vehicle which is self-propelled and every vehicle designed to run on the highways which is pulled by a self-propelled vehicle. This shall not include mopeds as defined in G.S. § 20-4.01(27)(d1).

MOTORCYCLE. Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than 3 wheels in contact with the ground, including motor scooters and motor-driven bicycles, but excluding tractors and utility vehicles equipped with an additional form of device designed to transport property, 3-wheeled vehicles while being used by law-enforcement agencies and mopeds as defined in G.S. § 20-4.01 (27)(d)1.

OFFICIAL TIME STANDARD. Whenever certain hours are named herein they shall mean standard time or daylight-saving time as may be in current use in this Town.

OFFICIAL TRAFFIC-CONTROL DEVICES. All signs, signals, markings, and devices not inconsistent with this title, placed or erected by authority of the Town Council or by the North Carolina Department of Transportation, or an official having jurisdiction for the purpose of regulating, warning, or guiding traffic.

OFFICIAL TRAFFIC SIGNALS. Any device, whether manually or automatically operated, by which traffic is alternately directed to stop and to proceed.

ON-TRACK EQUIPMENT. Any railcar, rolling stock, equipment, vehicle, or other device that is operated on stationary rails.

OPERATOR. A person in actual physical control of a vehicle which is in motion or which has the engine running. The terms OPERATOR and DRIVER and their cognates are synonymous.

PARK. The standing of a vehicle, whether occupied or not, other than temporarily for the purpose of loading or unloading.

PEDESTRIAN. Any person afoot.

POLICE OFFICER. Every officer of the municipal Police Department or any officer authorized to direct traffic or to make arrests for violations of traffic regulations.

PRIVATE ROAD OR DRIVEWAY. Every ROAD or DRIVEWAY not open to the use of the public as a matter of right for purposes of vehicular travel.

~~**PUBLIC CONVEYANCE.** Any vehicle which is engaged in the business of transporting persons for fare.~~

RESIDENTIAL OR RESIDENCE DISTRICT. The territory contiguous to a street or highway not comprising a business district, where 75% or more of the frontage thereon for a distance of 300 feet or more is mainly occupied by dwellings or by dwellings and buildings in use for residential purposes.

RIGHT-OF-WAY. The privilege of the immediate use of the roadway not inconsistent with regulations and conditions.

ROADWAY. That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder. In the event a highway includes 2 or more separate roadways, the term ROADWAY as used herein shall refer to any roadway separately but not to all the roadways collectively.

SAFETY ZONE. Traffic island or other space officially set aside within a roadway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone.

SIDEWALK. That portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines exclusively intended for the use of pedestrians.

STANDING. Any stopping of a vehicle whether occupied or not.

STOP. When required, means complete cessation of movement.

STOP or STOPPING. When prohibited, means any STOPPING of a vehicle, except when conflict with other traffic is imminent, or when otherwise directed by a police officer.

STREET. A HIGHWAY, as defined above. The terms HIGHWAY and STREET and their cognates are synonymous.

TRAFFIC. Pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together, while using any street for purposes of travel.

TRAFFIC SIGNS. Authorized signs or markers which are assumed to be permanently or temporarily placed or erected or installed at certain places and which purport to give notice of direction or to convey a prohibition or warning; the presence of the signs, though not compulsory, is generally dictated by necessity or common sense, with a view to furtherance of public safety.

VEHICLE. Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon fixed rails or tracks; provided, that for the purposes of this title, a bicycle or a ridden animal shall be deemed vehicles and every rider of a bicycle upon a highway shall be subject to the provisions of this title applicable to the driver of a vehicle except those which by his or her nature can have no application. This term shall not include a device which is designed for and intended to be used as a means of transportation for a person with a mobility impairment, or who uses the device for mobility enhancement, is suitable for use both inside and outside a building, including on sidewalks, and is limited by design to 15 mph when the device is being operated by a person with a mobility impairment, or who uses the device for mobility enhancement. This term shall not include an electric personal assistive mobility device as defined in G.S. § 20-4.01(7b).

§ 70.02 COMPLIANCE REQUIRED.

A violation of this chapter is subject to enforcement authorized under G.S. 14-4 ~~and~~ the penalties provided in § 10.99.

~~§ 70.03 OBEDIENCE TO POLICE.~~

~~—No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer.~~

§ 70.04 APPLICATION TO AUTHORIZED EMERGENCY VEHICLES.

(A) The provisions of this title regulating the operation, parking, and standing of vehicles shall apply to authorized emergency vehicles, except that, unless otherwise directed by a police officer, a driver, when operating an emergency vehicle in any emergency, may:

- (1) Park or stand, notwithstanding the provisions of this title;
- (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation; and
- (3) Disregard regulations governing direction of movement, or turning in specified directions, so long as he or she does not endanger life or property.

(B) The foregoing exemptions shall not protect the driver of any such vehicle from the consequences of his or her reckless disregard for the safety of others.

§ 70.05 CLINGING TO MOVING VEHICLES PROHIBITED.

No person riding on any bicycle, motorcycle, coaster, sled, roller skates, or toy vehicle shall attach it or himself or herself to any moving vehicle on any roadway.

§ 70.06 RIDERS OF MOTORCYCLES AND BICYCLES TO HAVE HANDS ON HANDLEBARS.

No person shall ride a bicycle or motorcycle on any street without having his or her hands on the handlebars.

§70.07 SPECIAL PROVISIONS FOR NON-MOTORIZED WHEELED VEHICLES, INCLUDING ROLLER SKATES, SKATEBOARDS, COASTERS, AND THE LIKE.

- (A) The following provisions govern the operation of non-motorized vehicles other than bicycles, including but not limited to roller skates, skateboards, coasters, and scooters, (Collectively referred to hereafter as “skating device”) on any public right-of-way or on

any property open to the public or used by the public for pedestrian or vehicular purpose:

(B) Skating devices may be ridden upon any roadway provided that:

1. The street has a posted speed limit of 35 mph or less; and
2. The rider yields to all pedestrians.

(C) For those aged 10 and under, skating devices may be ridden upon all sidewalks.

(D) For those aged 11 and older, skating devices may be ridden upon any sidewalk, provided that:

1. The sidewalk is not located within the Local Historic District, with the exception of those sidewalks directly adjacent to Rainey Memorial (Downtown) Park.

(E) In all cases concerning the use of skating devices on sidewalks;

1. The rider must yield to all pedestrians. Pedestrians shall at all times have the right-of-way upon a sidewalk. In the case of any doubt of safe and untouched passage by a pedestrian, a person riding a skating device shall stop or dismount such device until the pedestrian passes.

(F) Any person under the age of 16 operating a skating device shall wear a helmet of good fit, with the chin strap fastened securely under the chin.

(G) A violation of this section is subject to the penalty provided in §10.99(A)

§ 70.08 RIDING BICYCLE ON SIDEWALK OR WALKWAY RESTRICTED.

(A) No person shall ride a bicycle on any sidewalk or walkway within the town, except:

- (1) Town police officers in the performance of their duties; and/or
- (2) Persons of the age of 10 or less when under the immediate supervision of an accompanying adult on foot.

(B) Bicyclists riding on sidewalks or walkways shall comply with all requirements for operation that apply to operation on the street in whose right-of-way the sidewalk or walkway lies.

ADMINISTRATION

~~§ 70.25 AUTHORITY OF PUBLIC SAFETY EMPLOYEES TO DIRECT TRAFFIC.~~

~~—In the event of a fire or other emergency, or when necessary to expedite traffic or safeguard pedestrians, public safety employees may direct traffic as conditions may require, notwithstanding the provisions of this title.~~

CHAPTER 70: TRAFFIC-CONTROL DEVICES

§ 70.40 DESIGNATION OF TRAFFIC ZONES, THROUGH STREETS, AND THE LIKE; ERECTION AND INSTALLATION OF DEVICES.

(A) The Town Manager or his/her designee shall have the power to designate, lay off, and indicate, by ordinance, with the approval of the Town Council by appropriate signs and markings, the following: parking spaces and zones, no parking zones, limited parking zones, zones in which vehicles shall be parked at an angle to the curb, loading zones, safety zones, school zones, hospital zones, quiet zones, traffic zones other than the above, through streets, stop streets and intersections, yield right-of-way intersections, 1-one-way streets, streets to be laned for traffic, play streets, bus stops, and taxicab stands. He or she shall also have the power to designate and indicate, with the approval of the Town Council, by ordinance, intersections at which traffic shall be controlled by traffic signals, intersections at which left turns or right turns and "U" turns shall be prohibited, and intersections at which markers, buttons, or other

indications shall be placed to indicate the course to be traveled by vehicles traversing or turning at those intersections.

(B) Whenever any designation is made in accord with this section, the Town Manager or his/her designee shall erect and install the signs, markings, lines, signals, and other traffic-control devices as may be necessary to clearly indicate the designation and to put drivers of vehicles on notice of the restriction, limitation, or prohibition resulting from the designation.

(C) An applicant for an outdoor special event may request that parking be prohibited in certain areas in order to make a section of street usable for the event. Upon such a request the Town Manager or his/her designee may consult with staff to, in consultation with the Chief of Police and Director of Public Services, if they determine that such prohibition is reasonably necessary, and, if so, may designate zones, dates, and periods of time when parking is prohibited. When such a designation is made, any vehicle that remains parked in that zone in violation of this section is an abandoned vehicle subject to towing as provided in §§ 90.055 through 90.060, if the applicant has notified the owners or occupants of adjacent property of the towing policy and of the dates and times of the no parking period at least 7 days before the start of the parking restriction.

~~§ 70.41 ORDINANCE TO LIMIT PARKING ACCORDING TO SECTION 70.40 OF THE TOWN OF SOUTHERN PINES CODE OF ORDINANCES.~~

~~—(A) Parking on West Vermont Avenue from North Bennett Street to the middle of the block be limited to one hour parking during the hours of 8:00 a.m. until 5:00 p.m. Monday through Friday.~~

~~—(B) Between the hours of 6:00 p.m. and 11:00 p.m., the two parking spaces immediately to the south of the handicapped parking zone on the west side of the 200 block of N.W. Broad Street may be used only for vehicles to stand while unloading or loading passengers or equipment.~~

~~—(C) Parking on both sides of the 200 block section of South Carlisle Street shall be prohibited when school is in session to match the times specified on the School Zone signage, currently 7:30 a.m. to 8:30 a.m. Monday through Friday and 2:30 p.m. to 3:30 p.m. Monday through Friday.~~

~~—(D) This ordinance shall be and remain in full force and effect from and after the date of its adoption.~~

§ 70.42 OBEDIENCE TO TRAFFIC-CONTROL DEVICES.

It shall be unlawful for any person to drive, operate, or use a vehicle on the streets of the Town contrary to any signs, signals, or other traffic-control devices that are placed on the streets for the purpose of directing traffic, except on direction of a public safety employee and except as otherwise provided in this title.

§ 70.43 NECESSITY OF SIGNS.

No provision of this title for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to an ordinarily observant person. Whenever a particular section does not state that signs are required, the section shall be effective without signs being placed to give notice thereof.

§ 70.44 TRAFFIC-CONTROL SIGNAL LEGEND.

Whenever traffic is controlled by traffic-control signals exhibiting the words “go,” “caution,” or “stop,” or exhibiting differently colored lights, successively, 1 at a time, the following colors only shall be used, and the terms and lights shall indicate as follows:

(A) Green alone, or “go.”

(1) Vehicular traffic facing the signal may proceed straight through, or turn right or left unless a sign at the place prohibits either turn. But vehicular traffic shall yield the right-of-way

to other vehicles and to pedestrians lawfully within the intersection at the time the signal is exhibited.

(2) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(B) Yellow alone, or "caution", when shown following the green or "go" signal.

(1) Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at the intersection, but if the stop cannot be made in safety, a vehicle may be driven cautiously through the intersection.

(2) Pedestrians facing the signal are thereby advised that there is insufficient time to cross a roadway, and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.

(C) Red alone, or "stop".

(1) Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection, or at other points as may be indicated by a clearly visible line, and shall remain standing until green or "go" is shown alone.

(2) Vehicular traffic facing this signal at any controlled intersection, after first stopping and determining it safe to do so, may turn right on a red signal unless this action is posted as prohibited.

(3) No pedestrian facing this signal shall enter the roadway unless he or she can do so safely and without interfering with any vehicular traffic.

(D) Red with green arrow.

(1) Vehicular traffic facing this signal may cautiously enter the intersection, only to continue movement in the direction indicated by the arrow, but shall not interfere with other traffic.

(2) No pedestrian facing this signal shall enter the roadway unless he or she can do so safely and without interfering with any vehicular traffic.

§ 70.45 FLASHING SIGNALS.

Whenever flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows:

(A) Flashing red (stop signal). When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection, or at a limit line when marked, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(B) Flashing yellow (caution signal). When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past the signal only with caution.

§ 70.46 MOVING OR DAMAGING DEVICES.

It shall be unlawful for any person to move, deface, or otherwise damage any sign, signal, or other traffic-control device placed on the streets of the Town.

§ 70.47 EXISTING DEVICES APPROVED.

All traffic-control devices existing on the date of the adoption of this code are declared properly installed in accord with this chapter.

§ 70.48 MAINTENANCE OF SCHEDULES AND MAPS.

The Public Works department shall maintain in its office current schedules or maps designating traffic zones, through streets, speed limits, and the like as designated in this chapter by the Town Council and/or Town Manager or his/her designee. Whenever the Town Manager and Council designate traffic zones, through streets, speed limits, and the like under

Commented [JR1]: Nick, did you want to repeal this since NCGS 14-127 addresses it?

Commented [NP2R1]: I suggest we leave it. Damage to Real or Personal property can be used for damaging town property. But if someone removes a sign or signal that is a larceny by NCGS. This ordinance covers all of the above and available to use by discretion instead of the NCGS.

~~this chapter current schedules or maps showing the locations shall be maintained in the office of Public Works.~~

DRAFT



RESOLUTION #1112
DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER
G.S. 160A-31
AX-01-25: 490 Stoneyfield Drive

WHEREAS, a petition requesting annexation of an area described in said petition was received on April 15, 2025, by the Town Council of the Town of Southern Pines; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Southern Pines deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines that the Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the result of her investigation.

Adopted this 8th day of May, 2025.

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

Elizabeth Robertson, Town Clerk



RESOLUTION #1114
SETTING DATE OF PUBLIC HEARING FOR ANNEXATION
APPLICATION
AX-01-25: 490 Stoneyfield Drive

WHEREAS, a petition requesting annexation of an area described herein has been received; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the Town Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Southern Pines, North Carolina:

Section 1. That a public hearing on the question of annexation of the area described herein will be held at the ES Douglass Community Center at 6:00 pm on June 10, 2025.

Section 2. The area proposed for annexation is described as follows:

Property Identification Number (PIN) and Parcel Identification:

PIN: 858010366607; PARID: 00050142

Property Owners/Applicants:

Dennis F. & Patsy D. Regan
490 Stoneyfield Drive
Southern Pines, NC 28387

Total Size of Property:

Total Acreage: +/- acres

Meets & Bounds:

Being Lot No. 146 as shown on the map entitled "Sandhurst South, Section Two, Property of Sandhurst Development Company, Inc.", near Southern Pines, Moore County North Carolina, dated May, 1978, made by Moorman, Little & Kizer, Inc., Planners, Engineers and Surveyors, said map recorded in the Office of the Register of Deeds of Moore County, North Carolina, in Plat Cabinet 1, Slide 146B, to which map reference is hereby made.

This conveyance is made subject to the easements of record and to the protective covenants as set forth in that certain Declaration of Protective Covenants dated March 17, 1977, by Sandhurst Development Company, Inc., recorded in the Office of the Register of Deeds of Moore County, North Carolina, in Book 417, Page 864, the same as if set forth herein verbatim, which shall run with the land.

Section 3. Notice of said public hearing shall be published in The Pilot, a newspaper having general circulation in the Town of Southern Pines, at least ten (10) days prior to the date of said public hearing.

Adopted this 8th day of April, 2025.

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

MEMO

To: Town Council
From: Mason Mattox, Planner II

Date: 13 May 2025

Re: National Register of Historic Places (NRHP) Nomination of Amos Broadway Theater, & Trinity AME Zion Church

I. SUMMARY OF REQUEST

Town Staff (Mason Mattox) and The Chief Elected Official of the Town (Mayor Taylor Clement) received a letter from the State Historic Preservation Office (SHPO) requesting comment on two formal National Register of Historic Places nominations; one for Amos Broadway Theater, and the other for Trinity AME Zion Church. The sites were nominated to the NRHP by HMW Preservation (Heather Slane) on behalf of their respective property owners.

Amos Broadway Theater, located at 1071 West New York Avenue, is identified as PIN #857200926067 and Parcel ID #00038678. Per the Moore County tax records, the property owner is listed as TS Holdings Company, LLC (Tony Fairley).

Trinity AME Zion Church, located at 972 West Pennsylvania Avenue, is identified as PIN #858217012757 and Parcel ID #00039752. Per the Moore County tax records, the property owner is listed as Trinity AME Zion Church Trustees.

The NRHP (“National Register”) is the Nation’s official list of historic buildings, structures, objects, sites, and districts that have been deemed worthy of preservation for their significance in American history, architecture, archeology, and culture. Properties listed on the NRHP are nominated at a Local, State, or National level of significance depending on the geographical range of the importance of a property or its associations. Most properties, including Amos Broadway Theater and Trinity AME Zion Church, are recommended to be listed at the local level of significance.

II. HISTORIC DISTRICT COMMISSION RECOMMENDATION

As a Certified Local Government (CLG), Southern Pines is required to review all new nominations to the NRHP for sites, structures, and districts within the Town’s boundaries. The first step of the local NRHP process is for the Historic District Commission (HDC) to provide comments and a recommendation on the nomination based on their shared expertise. The HDC is also required to allow for public comment per Southern Pines’ CLG agreement. The agreement states, “Provide for adequate public participation in the historic preservation program, including the process of recommending properties to the National Register of Historic Places (North Carolina General Statutes 160A-400.1 through 14 and Guidelines Section II.F and Section VI.)

The Historic District Commission (HDC) met as scheduled on May 8, 2025, and conducted a public hearing on the two nominations. No public comments were offered. Following the hearing, the Commissioners closed the forum and unanimously recommended approval of both nominations, each by a vote of 5–0. The Commission noted technical errors in the document: two incorrect references to Pinehurst as the seat of Moore County, which they requested be corrected.

Locally, the final step in the nomination process is for the Chief Elected Official to issue a recommendation of approval or denial. As noted in the attached letter from the State Historic Preservation Office (SHPO), the Governing Body may also review the nominations.

III. NRHP CRITERIA FOR EVALUATION

There are two features to consider when determining eligibility for the NRHP:

I. Historic Significance

The property must be associated with at least one of the following criteria:

- Criterion A: Important Events or Patterns of History.
 - Criterion B: Important Historical Figure.
 - Criterion C: Important Example of Period Architecture, Landscape, or Engineering.
 - Criterion D: Information it is likely to yield (Archeology).
- The NRHP nomination finds that Amos Broadway theater is significant under Criterion A due to its association with Black Ethnic Heritage, Commerce, and Entertainment/Recreation.
 - The NRHP nomination finds that Trinity AME Zion Church is significant under Criterion A due to its association with Black Ethnic Heritage, Social History, and Architecture, rather than for its religious affiliation. Further, Trinity AME Zion Church is significant under Criterion C for Architecture as it embodies distinctive characteristics of the Gothic Revival style in West Southern Pines.

2. Historic Integrity. The seven aspects of integrity are:

- Location: Where the historic property was constructed or the place where the historic event occurred.
- Design: Combination of elements that create the form, plan, space, structure, and style of a property.
- Setting: Physical environment of a historic property. This includes elements such as topographic features (such as the crest of a hill), vegetation, manmade features (such as paths or fences), and relationships between buildings.
- Materials: Physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.
- Workmanship: Physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
- Feeling: Property's expression of the aesthetic or historic sense of a particular of time.
- Association: Direct link between an important historic event or person and a historic property.

To assess the integrity, consider the following:

- Does the building or site reflect the physical features that existed during its period of significance?
- Would someone from the past who traveled to the future recognize the building?
- What elements of integrity are the most important to this site? Does it reflect those?

IV. PROCESS FOR LISTING A PROPERTY ON THE NRHP

1. Nominations are submitted to the State Historic Preservation Office (SHPO) for review. Most nominations are prepared by private consultants hired either by individual property owners or by local governments or organizations. In this case, the nomination was prepared by a private consultant (HMW Preservation) on behalf of the property owners.
2. The State Historic Preservation Office provides guidance and reviews all the NRHP applications.
3. Since the Town of Southern Pines is a Certified Local Government, both the Chief Elected Official (Mayor Clement) and the local Historic District Commission are given the opportunity to provide comments and a recommendation prior to the National Register Advisory Committee (NRAC) reviewing the application.
4. The NRAC reviews the application and forwards a recommendation on the nomination to the Keeper of the National Register for final approval.

While the outlined steps represent the standard protocol, the Department of the Interior—specifically the National Park Service (NPS)—allows for materials to be (optionally) reviewed before the State Historic Preservation Office (SHPO) review. In this instance, both applications were submitted to the NPS, which provided comments to the Town’s consultants. The consultants revised the applications accordingly before submitting them to SHPO. SHPO then issued its comments and returned the finalized applications to the Local Government for final review prior to final submission to the National Register Advisory Committee.

V. ATTACHMENTS

1. State Historic Preservation Office Letter to Mayor Taylor Clement and Draft Recommendation
2. Historic District Commission Signed Recommendation
3. Amos Broadway Theater National Register Nomination Form
4. Amos Broadway Theater Supplementary Media
5. Trinity AME Zion Church National Register Nomination Form
6. Trinity AME Zion Church Supplementary Media



**North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Josh Stein
Secretary Pamela B. Cashwell

Office of Archives and History
Deputy Secretary Darin J. Waters, Ph.D.

April 1, 2025

The Honorable Taylor Clement
Mayor of the Town of Southern Pines
125 SE Broad Street
Southern Pines, NC 28387

RE: Amos Broadway Building, 1071 West New York Avenue, Southern Pines, Moore County

Dear Mayor Clement:

Enclosed is a copy of the nomination for the Amos Broadway Building, which is scheduled for presentation to the North Carolina National Register Advisory Committee on June 12, 2025. For more information about meeting details and updates on how to view the meeting, please visit the Secretary of State's Public Meeting Calendar at https://sosnc.gov/online_services/calendar/Search and search "National Register Advisory Committee."

As a Certified Local Government, you have sixty (60) days in which to comment on the proposed nomination. If you do not respond by June 11, 2025, regarding the proposed nomination, approval of it will be assumed. Please note that the Southern Pines Historic Districts Commission is to provide an opportunity for public comment regarding this nomination according to the terms specified in the certification agreement the town signed with this office. A copy of your notice to the public should be forwarded to our office along with any comments that you, the Southern Pines Town Council, or the Southern Pines Historic Districts Commission wish to make regarding the nomination to satisfy federal and state requirements.

Please use the enclosed comment forms to send us the responses. If you have any questions concerning this nomination, we will be happy to help. Please direct any inquiries to our State Historic Preservation Office's National Register Coordinator, Jeff Smith, at jeff.smith@dncr.nc.gov.

Sincerely,

Darin J. Waters
State Historic Preservation Officer

DJW/ssh

Enclosures

The Honorable Taylor Clement
Page Two
April 1, 2025

cc: Mason Mattox – Southern Pines Historic Districts Commission

Kurt Cook, Chairman – Moore County Board of Commissioners

CERTIFIED LOCAL GOVERNMENTS AND THE NATIONAL REGISTER

The federal and state guidelines for the Certified Local Government Program require that the CLGs participate in the process of nominating properties to the National Register of Historic Places. This participation involves the review of nominations within the jurisdiction of the CLG by the CLG Commission and the chief elected local official. Opportunity for public comment must be provided during the 60-day comment period. The commission and the chief elected official are required to submit comments to the State Historic Preservation Office and the owner of the property relaying their findings as to the eligibility of the property under consideration for listing in the National Register. The attached forms are provided for you to facilitate your review of nominations and your submittal of comments to the State Historic Preservation Office. A copy of the criteria for listing in the National Register is also enclosed for your reference and use.

Although the federal regulations governing the CLG program call for the chief elected local official to provide comments on proposed National Register nominations within the CLG jurisdiction, North Carolina law stipulates that the mayor or chairman of the board of county commissioners may act only in an administrative capacity on behalf of the local governing board. If a certified local government has doubts about the legality of the chief elected official assuming sole responsibility for comments on proposed National Register nominations, it may wish to consider two alternatives: 1) having the governing board review the nominations or 2) having the governing board pass a resolution granting the chief elected local official the authority to furnish comments on behalf of the governing board.

In order to fulfill the required comment procedures, please complete the information below and the appropriate comment paragraph that is attached after you have reviewed the nomination. This information should be returned to:

Jeff Smith, National Register Coordinator

State Historic Preservation Office

4617 Mail Service Center

Raleigh, North Carolina 27699-4617

COMMENTS ARE DUE IN THE STATE HISTORIC PRESERVATION OFFICE BY: **June 11, 2025**

1. Name of Certified Local Government: **Town of Southern Pines**
2. Name of CLG Commission: **Southern Pines Historic Districts Commission**
3. Property being reviewed for nomination: **Amos Broadway Building**
4. Please attach documentation of the measures taken to provide for public comment during the nomination review and a record of any comments received, as per your certification agreement with the State Historic Preservation Office.
5. In approving local governments for certification, the SHPO may have stipulated that the Commission obtain the services of professional historians, architectural historians, or archaeologists when reviewing National Register nominations if those disciplines are not represented in the Commission membership. If this stipulation applies to you, please note the name of the professional you consulted below and his/her appropriate field. If you have any questions about the applicability of this stipulation to your commission, contact Kristi Brantley, Certified Local Government Coordinator, State Historic Preservation Office at 919.814.6576.

THE CHIEF ELECTED LOCAL OFFICIAL OR THE LOCAL GOVERNING BOARD SHOULD
COMPLETE ONE OF THE FOLLOWING COMMENT PARAGRAPHS:

C. I, **Mayor Taylor Clement**, or We, the **Southern Pines Town Council**, have reviewed the nomination for the **Amos Broad Building** and find that the property **meets** the criteria for listing in the National Register of Historic Places as stated in Section 8 of the report. We, therefore, **recommend** that the property be submitted for listing in the Register.

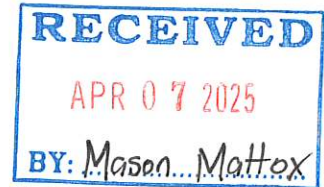
Additional Comments:

Chief Local Elected Official's signature and date

D. I, **Mayor Taylor Clement**, or We, the **Southern Pines Town Council**, have reviewed the nomination for the **Amos Broadway Building** and find that the property **does not meet** the criteria for listing in the National Register of Historic Places as stated in Section 8 of the report. We, therefore, **do not recommend** that the property be submitted for listing in the Register. The reasons for my (or our) findings concerning this nomination are stated below (use additional sheet if necessary).

Additional comments:

Chief Local Elected Official's signature and date



**North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Josh Stein
Secretary Pamela B. Cashwell

Office of Archives and History
Deputy Secretary Darin J. Waters, Ph.D.

April 1, 2025

The Honorable Taylor Clement
Mayor of the Town of Southern Pines
125 SE Broad Street
Southern Pines, NC 28387

RE: Trinity AME Zion Church, 972 West Pennsylvania Avenue, Southern Pines, Moore County

Dear Mayor Clement:

Enclosed is a copy of the nomination for Trinity AME Zion Church, which is scheduled for presentation to the North Carolina National Register Advisory Committee on June 12, 2025. For more information about meeting details and updates on how to view the meeting, please visit the Secretary of State's Public Meeting Calendar at https://sosnc.gov/online_services/calendar/Search and search "National Register Advisory Committee."

As a Certified Local Government, you have sixty (60) days in which to comment on the proposed nomination. If you do not respond by June 11, 2025, regarding the proposed nomination, approval of it will be assumed. Please note that the Southern Pines Historic Districts Commission is to provide an opportunity for public comment regarding this nomination according to the terms specified in the certification agreement the town signed with this office. A copy of your notice to the public should be forwarded to our office along with any comments that you, the Southern Pines Town Council, or the Southern Pines Historic Districts Commission wish to make regarding the nomination to satisfy federal and state requirements.

Please use the enclosed comment forms to send us the responses. If you have any questions concerning this nomination, we will be happy to help. Please direct any inquiries to our State Historic Preservation Office's National Register Coordinator, Jeff Smith, at jeff.smith@dnrc.nc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Darin J. Waters".

Darin J. Waters
State Historic Preservation Officer

DJW/ssh

Enclosures

The Honorable Taylor Clement
Page Two
April 1, 2025

cc: Mason Mattox – Southern Pines Historic Districts Commission

Kurt Cook, Chairman – Moore County Board of Commissioners

CERTIFIED LOCAL GOVERNMENTS AND THE NATIONAL REGISTER

The federal and state guidelines for the Certified Local Government Program require that the CLGs participate in the process of nominating properties to the National Register of Historic Places. This participation involves the review of nominations within the jurisdiction of the CLG by the CLG Commission and the chief elected local official. Opportunity for public comment must be provided during the 60-day comment period. The commission and the chief elected official are required to submit comments to the State Historic Preservation Office and the owner of the property relaying their findings as to the eligibility of the property under consideration for listing in the National Register. The attached forms are provided for you to facilitate your review of nominations and your submittal of comments to the State Historic Preservation Office. A copy of the criteria for listing in the National Register is also enclosed for your reference and use.

Although the federal regulations governing the CLG program call for the chief elected local official to provide comments on proposed National Register nominations within the CLG jurisdiction, North Carolina law stipulates that the mayor or chairman of the board of county commissioners may act only in an administrative capacity on behalf of the local governing board. If a certified local government has doubts about the legality of the chief elected official assuming sole responsibility for comments on proposed National Register nominations, it may wish to consider two alternatives: 1) having the governing board review the nominations or 2) having the governing board pass a resolution granting the chief elected local official the authority to furnish comments on behalf of the governing board.

In order to fulfill the required comment procedures, please complete the information below and the appropriate comment paragraph that is attached after you have reviewed the nomination. This information should be returned to:

Jeff Smith, National Register Coordinator

State Historic Preservation Office

4617 Mail Service Center

Raleigh, North Carolina 27699-4617

COMMENTS ARE DUE IN THE STATE HISTORIC PRESERVATION OFFICE BY: **June 11, 2025**

1. Name of Certified Local Government: **Town of Southern Pines**
2. Name of CLG Commission: **Southern Pines Historic Districts Commission**
3. Property being reviewed for nomination: **Trinity AME Zion Church**
4. Please attach documentation of the measures taken to provide for public comment during the nomination review and a record of any comments received, as per your certification agreement with the State Historic Preservation Office.
5. In approving local governments for certification, the SHPO may have stipulated that the Commission obtain the services of professional historians, architectural historians, or archaeologists when reviewing National Register nominations if those disciplines are not represented in the Commission membership. If this stipulation applies to you, please note the name of the professional you consulted below and his/her appropriate field. If you have any questions about the applicability of this stipulation to your commission, contact Kristi Brantley, Certified Local Government Coordinator, State Historic Preservation Office at 919.814.6576.

THE CHIEF ELECTED LOCAL OFFICIAL OR THE LOCAL GOVERNING BOARD SHOULD
COMPLETE ONE OF THE FOLLOWING COMMENT PARAGRAPHS:

C. I, **Mayor Taylor Clement**, or We, the **Southern Pines Town Council**, have reviewed the nomination for **Trinity AME Zion Church** and find that the property **meets** the criteria for listing in the National Register of Historic Places as stated in Section 8 of the report. We, therefore, **recommend** that the property be submitted for listing in the Register.

Additional Comments:

Chief Local Elected Official's signature and date

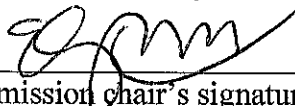
D. I, **Mayor Taylor Clement**, or We, the **Southern Pines Town Council**, have reviewed the nomination for the **Trinity AME Zion Church** and find that the property **does not meet** the criteria for listing in the National Register of Historic Places as stated in Section 8 of the report. We, therefore, **do not recommend** that the property be submitted for listing in the Register. The reasons for my (or our) findings concerning this nomination are stated below (use additional sheet if necessary).

Additional comments:

Chief Local Elected Official's signature and date

THE CLG COMMISSION SHOULD COMPLETE **ONE** OF THE FOLLOWING PARAGRAPHS:

A. We, the **Southern Pines Historic Districts Commission**, have reviewed and discussed the nomination for the **Amos Broadway Building** and find that the property **meets** the criteria for listing in the National Register of Historic Places as stated in Section 8 of the report. We, therefore, **recommend** that the property be submitted for listing in the Register.

 5-8-25

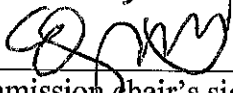
Commission chair's signature and date

B. We, the **Southern Pines Historic Districts Commission**, have reviewed and discussed the nomination for the **Amos Broadway Building** and find that the property **does not meet** the criteria for listing in the National Register of Historic Places as stated in Section 8 of the report. We, therefore, **do not recommend** that the property be submitted for listing in the Register. The reasons for our findings concerning this nomination are stated below (use additional sheet if necessary).

Commission chair's signature and date

THE CLG COMMISSION SHOULD COMPLETE **ONE** OF THE FOLLOWING PARAGRAPHS:

A. We, the **Southern Pines Historic Districts Commission**, have reviewed and discussed the nomination for **Trinity AME Zion Church** and find that the property **meets** the criteria for listing in the National Register of Historic Places as stated in Section 8 of the report. We, therefore, **recommend** that the property be submitted for listing in the Register.

 5.8.25

Commission chair's signature and date

B. We, the **Southern Pines Historic Districts Commission**, have reviewed and discussed the nomination for **Trinity AME Zion Church** and find that the property **does not meet** the criteria for listing in the National Register of Historic Places as stated in Section 8 of the report. We, therefore, **do not recommend** that the property be submitted for listing in the Register. The reasons for our findings concerning this nomination are stated below (use additional sheet if necessary).

Commission chair's signature and date

United States Department of the Interior
National Park Service**National Register of Historic Places Registration Form**

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions.

1. Name of PropertyHistoric name: Amos Broadway BuildingOther names/site number: Amos Broadway Theater and Beer Garden

Name of related multiple property listing:

N/A

(Enter "N/A" if property is not part of a multiple property listing)

2. LocationStreet & number: 1071 West New York AvenueCity or town: Southern Pines State: NC County: MooreNot For Publication: ☐Vicinity: ☐**3. State/Federal Agency Certification**

As the designated authority under the National Historic Preservation Act, as amended,

I hereby certify that this X nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60.

In my opinion, the property X meets does not meet the National Register Criteria. I recommend that this property be considered significant at the following level(s) of significance:

 national statewide X local

Applicable National Register Criteria:

X A B C D_____
Signature of certifying official/Title:_____
Date_____
State or Federal agency/bureau or Tribal Government

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In my opinion, the property ___ meets ___ does not meet the National Register criteria.

Signature of commenting official:

Date

Title :

State or Federal agency/bureau
or Tribal Government

4. National Park Service Certification

I hereby certify that this property is:

- ___ entered in the National Register
___ determined eligible for the National Register
___ determined not eligible for the National Register
___ removed from the National Register
___ other (explain:) _____

Signature of the Keeper

Date of Action

5. Classification

Ownership of Property

(Check as many boxes as apply.)

Private:

☒

Public – Local

☐

Public – State

☐

Public – Federal

☐

Category of Property

(Check only **one** box.)

Building(s)

☒

District

☐☐

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Site

Structure

☐

Object

☐

Number of Resources within Property

(Do not include previously listed resources in the count)

Contributing

Noncontributing

1

0

buildings

0

0

sites

0

0

structures

0

0

objects

1

0

Total

Number of contributing resources previously listed in the National Register 0

6. Function or Use

Historic Functions

(Enter categories from instructions.)

COMMERCE: Restaurant

RECREATION: Music Facility/Theater

Current Functions

(Enter categories from instructions.)

VACANT

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7. Description

Architectural Classification

(Enter categories from instructions.)

Commercial Style

Materials:

(enter categories from instructions.)

Principal exterior materials of the
property: Foundation: Concrete Block
Walls: Concrete Block
Roof: Asphalt

Narrative Description

(Describe the historic and current physical appearance and condition of the property. Describe contributing and noncontributing resources if applicable. Begin with a **summary paragraph** that briefly describes the general characteristics of the property, such as its location, type, style, method of construction, setting, size, and significant features. Indicate whether the property has historic integrity.)

Summary Paragraph

The Amos Broadway Building is located on the north side of West New York Avenue at its juncture with South Gaines Street, roughly one mile northwest of downtown Southern Pines.¹ The one-story, parapet-roofed, concrete-block commercial building, completed in 1922, is the only historic, multi-unit commercial building remaining in the area known as West Southern Pines. It stands on 0.23 acres, resting on level ground and situated in the southwest corner of the parcel. A paved terrace that extends across the front of the building accesses the three-bay building, which features segmental-arch door and window openings on the façade. A corbelled brick cornice is the only decorative element on the exterior.

Narrative Description

Site and Setting

The Amos Broadway Building is located in Southern Pines, North Carolina, a town of approximately 16,000 people situated in east-central Moore County roughly five miles east of Pinehurst, the county seat. It stands in an area known as West Southern Pines, settled by African Americans in the early twentieth century and established as an independent municipality in 1923.

¹ The building and street grid are oriented roughly forty-five degrees north of true west, with West New York Avenue extending from southeast to northwest and the façade of the Amos Broadway building facing southwest. However, for the simplicity of the description, the narrative is written as though West New York Avenue and South Harden Street align with cardinal directions.

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West Southern Pines was annexed into Southern Pines in 1931, though it remains physically separated from the rest of Southern Pines by US-1. The building stands on the north side of West New York Avenue at the intersection with South Hardin Street. The grid plan of West Southern Pines is skewed roughly fifty-five degrees north of true west. As a result, West New York Avenue, while designated with an east-west orientation for the purposes of this nomination, actually extends northwest to southeast.

With the exception of West Pennsylvania Avenue, which currently includes both commercial and institutional buildings, the majority of West Southern Pines is residential with only the occasional small-scale commercial building, church, or office intermixed among the houses. The area around West New York Avenue and South Hardin Street illustrates this trend with low-density development of one- and two-story houses set within dense trees. Southwest of the building, opposite the intersection of West New York Avenue and South Hardin Street, is a large, mostly cleared lot that encompasses an entire city block that was the site of the Industrial Union Institute (later the R. C. Lawson Institute). The campus has been demolished.

The Amos Broadway Building site includes a roughly square, 0.23-acre parcel that fronts on West New York Avenue.² The building stands close to the southwest corner of the parcel, just northeast of the intersection of West New York Avenue and South Hardin Street. There are no sidewalks, curbs, or gutters on this part of West New York Avenue and no designated parking area on the site. Instead, the paved road abuts a wide strip of grass that extends to a paved terrace spanning the width of the façade and extending approximately ten feet towards the street. The site is generally level and there is grass at the sides and rear of the building. Overgrown vines and foliage are located west of the building and there are mature trees in the northeast corner of the parcel. A brick pier at the southeast corner of the building appears to have been the termination of a fence that once spanned the front of the adjacent property, the Amos Broadway House.

Building Exterior

The Amos Broadway Building is illustrative of early-twentieth-century vernacular commercial construction. The building is constructed of concrete block with a concrete-block foundation, exposed quarry-faced concrete-block on the side and rear elevations, and a smooth stuccoed facade. The blocks are consistent with those produced utilizing concrete-block machines sold by Sears, Roebuck and Co. in the early twentieth century.³ These machines allowed for the manufacture of concrete block, an inexpensive alternative to cut stone, by laypeople without formal training, though Amos Broadway himself was a carpenter and brick mason. This type of decorative block appears to have been utilized for a number of houses in West Southern Pines in addition to the Amos Broadway Building, perhaps manufactured by the same individuals or local company. Except for a small opening above the main entrance of the eastern section, the building is painted white. Unless otherwise noted, doors and windows have been removed and covered

² The lots include lots 19 and 20 of Block L-13 of the 1894 "Map of Southern Pines." Moore County Register of Deeds, Map Book 1 Section 2 Page 70.

³ Sears, Roebuck & Co., *Concrete Machinery: Triumph, Wizard and Knox Block Machines* (Sears, Roebuck & Co., 1915), 8.

<https://archive.org/details/ConcreteMachineryTriumphWizardAndKnoxBlockMachines/page/n9/mode/2up>

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with plywood on the exterior and all openings are rectangular, topped by a shallow, infilled segmental arch and framed by brick headers.

The three-part building may have been built in stages, although it was fully in place by October 1924 when it appears on the Sanborn Fire Insurance Company map of the area. The Amos Broadway Building appears to be a single building of three storefronts or units that functioned discretely despite connected interior spaces. As originally constructed, the taller one-unit easternmost section was deeper than the western two-unit section, resulting in an L-shaped footprint. The easternmost section has a higher roofline, constructed to accommodate the balcony of the theater that was housed in this part of the building. The roof of each section is flat and sloped.

The façade has a smooth, stuccoed finish with a projecting brick rowlock water table that doubles as a sillcourse. Projecting brick pilasters separates the three units of the façade, and a corbelled brick cornice tops the entire façade.

Stepped-parapet walls flank the taller, eastern section and its roof, which has begun to fail only along the west edge, is sharply sloped to the rear (north) of this section, which is much lower than the front. An unpainted brick flue rises along the west wall. The façade features a main entrance of paired replacement doors within a centered rectangular opening lacking an infilled segmental arch. A doorway east of the main entrance has had its segmental-arch transom infilled with brick. A window opening is west of the paired entrance.

The east elevation is five bays. A centered entrance is flanked by two windows on each side. The northernmost window is smaller than the other four, measuring only about half the height and containing a six-light wood-sash window. The adjacent opening to the south contains a nine-light steel-sash window. The remaining three openings are filled with plywood. The north elevation of this section features a single window opening covered in plywood and a wide loading bay with an overhead metal garage door.

The west section of the building consists of two units, which initially held a café and pool hall, and has a lower roofline. The low-sloped roof, which has largely collapsed, was concealed behind the low parapet. The east unit is three bays wide with a central entrance flanked by wide window openings. A hollow-core door, narrower than the original opening, has been installed with plywood filling the remainder of the entrance, including the transom. The west unit is narrower with only two bays and features an entrance to the east and a window opening to the west.

The west elevation, facing South Hardin Street, features two narrow window openings near its south end. Both windows have been removed and the openings covered with plywood from the inside.

The north elevation of the westernmost unit features, from west to east, an exterior brick flue, a flat-arched window opening, and an entrance bay.

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The east unit of the western section was extended sometime between 1924 and 1944 with a rear shed-roofed addition that extends this unit to the full depth of the eastern section. This wing built of smooth concrete block obscures a segmental-arch window opening on the original north elevation that has been infilled with concrete block. The wing features on its west elevation a five-panel wood door and a multi-pane steel-sash window covered by horizontally placed bars on the exterior and plywood on the interior. An exterior concrete-block flue and a single entrance covered in plywood are located on the north elevation of the wing. All of the wing's openings are simple rectangles without a segmental arch.

Building Interior

The eastern section of the building originally contained a theater/dance hall, but it has been modified over time to accommodate other commercial uses. It features a concrete floor. Walls are covered with plywood paneling and the ceiling retains decorative pressed-metal tiles. The south end of the ceiling, over the main entrance, is lower, dropped to accommodate a shallow balcony accessed on the west wall by a narrow wood stair that is now ruinous due to the partially collapsed roof immediately above. Consequently, the balcony is no longer accessible. There are four small rooms on the east side of this section, including two bathrooms along the east exterior wall. The frame partitions in this area are covered with drywall or plywood paneling and all doors are hollow-core wood. Two small, six-light windows, one on the north side of the northern partition and one on the west partition, light a small, narrow room along the west side of the bathrooms. The dropped ceiling above these rooms is covered with square acoustic tiles.

A wood-framed wall sheathed with plywood separates the north end of this section from its main space. The pressed-metal ceiling extends throughout this end of the building, indicating that the partition is not original, but was constructed after the building ceased use as a theater/dance hall. The resulting north room has a concrete floor and plaster-covered concrete walls.

In the west section of the building, only the east unit remains accessible via an opening between the east and west sections of the building. Here, the floor is wood, partially covered with tile; plywood paneling covers the walls, and the ceiling is beaded-board. The partially collapsed roof has resulted in significant damage to this part of the building including partial collapse of the ceiling and the deterioration of the north end of the wood floor. A bar/lunch counter along the west wall of the space is faced with plywood paneling and lined with stools affixed to the floor. Woodwork featuring a projecting, molded wood arch with carved floral motifs in the spandrels is located on the west wall, behind the counter. The interior of the addition at the south end of this unit has a concrete floor, exposed concrete-block walls, and exposed framing supporting the metal roof.

Extensive damage, the result of the partial roof collapse, made the westernmost unit of the building inaccessible. Original finishes that may remain in this part of the building are substantially deteriorated.

Integrity Assessment

The 1922 Amos Broadway Building retains integrity of location, setting, design, workmanship,

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feeling, and association. Located on its original site, the building retains its historic setting within a neighborhood of mixed residential, institutional, and commercial development. The site maintains overall massing and setback, its relationship to the surrounding street grid, its original circulation patterns, and the concrete terrace at the front of the building. The building retains integrity of design and workmanship with the overall form, exterior concrete-block, and segmental-arch window and door openings original to the date of construction. The interior retains its original plan, composed of three distinct interior spaces that historically served three separate, though interconnected, functions. Original interior finishes include concrete floors, a pressed metal ceiling in the theater/dance hall part of the building, and a beaded-board ceiling in the east part of the western section.

The material integrity and, more specifically, the physical condition, of the Amos Broadway Building has been impacted by broader disinvestment and vacancy in the surrounding historically African American community. Missing doors and windows, loss of interior fixtures, and the partially collapsed roof reflect the inevitable loss of material integrity as the building has sat vacant and untended. This deterioration resulting from neglect does not constitute a loss of overall integrity, however. The building features few replacement materials and has not been impacted by the construction of incompatible additions, thus retaining integrity of design. The western portion of the roof, entirely concealed behind the concrete-block parapet, can be reconstructed without negatively impacting the historic character of the building and the concrete-block construction has contributed to the continued stability of the exterior walls, despite the partial roof collapse.

Despite deterioration, the Amos Broadway Building retains the essential physical features that enable it to convey its historic significance in the areas of Black Ethnic Heritage, Commerce, and Entertainment/Recreation. The building remains identifiable as the Amos Broadway Building and it remains a tangible reminder of the importance of this place as an entertainment venue serving the African American community of West Southern Pines and the surrounding areas in the early twentieth century.

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8. Statement of Significance

Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- ☒ A. Property is associated with events that have made a significant contribution to the broad patterns of our history.
- ☐ B. Property is associated with the lives of persons significant in our past.
- ☐ C. Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- ☐ D. Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "x" in all the boxes that apply.)

- ☐ A. Owned by a religious institution or used for religious purposes
- ☐ B. Removed from its original location
- ☐ C. A birthplace or grave
- ☐ D. A cemetery
- ☐ E. A reconstructed building, object, or structure
- ☐ F. A commemorative property
- ☐ G. Less than 50 years old or achieving significance within the past 50 years

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Areas of Significance

(Enter categories from instructions.)

ETHNIC HERITAGE – Black

RECREATION/ENTERTAINMENT

COMMERCE

Period of Significance

1922 – c.1943

Significant Dates

N/A

Significant Person

(Complete only if Criterion B is marked above.)

N/A

Cultural Affiliation

N/A

Architect/Builder

UNKNOWN

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Statement of Significance Summary Paragraph (Provide a summary paragraph that includes level of significance, applicable criteria, justification for the period of significance, and any applicable criteria considerations.)

The Amos Broadway Building is significant at the local level under Criterion A for Black Ethnic Heritage, Commerce, and Entertainment/Recreation in the Town of Southern Pines. The building is located in West Southern Pines, an area of Southern Pines established as a segregated African American community during the Jim Crow era. The building housed a dance hall, theater, café, beer garden, and pool hall, serving Black residents who were largely excluded from similar establishments in downtown Southern Pines and other nearby towns. It was the only entertainment venue serving African Americans in the West Southern Pines neighborhood, the Town of Southern Pines, or the nearby resort town of Pinehurst. Events hosted at the Amos Broadway Building also drew Black patrons from the larger cities in central North Carolina, including Greensboro, Charlotte, and Raleigh. Today the Amos Broadway Building is an important historic commercial building in the Town of Southern Pines representing early twentieth-century Black commerce and entertainment. It is the most intact of the few commercial buildings remaining from the Jim Crow era and the only Black entertainment venue known to remain extant from that time. The period of significance begins in 1922 with the construction of the building by Amos Broadway and ends c.1943 with the closure of the businesses and sale of the building following Broadway's death.

Narrative Statement of Significance (Provide at least **one** paragraph for each area of significance.)

Historical Background

The Amos Broadway Building is located in the Town of Southern Pines in Moore County, which was formed in 1784 from Cumberland County and named for Alfred Moore, a Revolutionary War leader, prominent state politician, and United States Supreme Court Justice.⁴ Most of the county is located in the fertile, clay-soil Piedmont region, though the southeastern part of the county, including Southern Pines, has the sandy soils of the Sandhills region of the Eastern Coastal Plain. Southern Pines is approximately thirteen miles south of Carthage, the county seat, and approximately five miles east of Pinehurst, the county's largest village.⁵

Present-day Moore County is believed to have been inhabited by the Cheraw, a Siouan tribe that joined with the Catawba around 1730. Indigenous peoples set up camps along the various creeks throughout the area, as well as on the Yadkin and Pee Dee Rivers. By the 1750s, the Catawba had been largely forced onto a reservation in South Carolina, while Europeans and European

⁴ Ann C. Alexander, *Perspective on a Resort Community: Historic Buildings Inventory, Southern Pines, North Carolina* (Southern Pines, NC: Town of Southern Pines, 1981), 10; Blackwell P. Robinson, *A History of Moore County, North Carolina, 1947-1847* (Southern Pines, NC: Moore County Historical Association, 1956), 92-93.

⁵ Robinson, *A History of Moore County*, 104-106.

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Americans, primarily Highland Scots, had begun to settle in the area.⁶ By 1830, there were approximately 7,500 people living in Moore County, most working as farmers, timbermen, and trappers.⁷

Throughout the mid-nineteenth century, growth was slow in the area that would become Southern Pines, in part due to the sandy, agriculturally poor soils, and in part due to the upheaval surrounding the Civil War and its aftermath. The region's economy began to recover with the arrival of the Raleigh and Augusta Airline in 1877 (later the Seaboard Airline Railroad), which extended northeast of Southern Pines toward Raleigh and southwest of the town toward Hamlet (near the South Carolina border), connecting the area to broader transportation networks in Virginia, South Carolina, and Georgia. A small depot was constructed in Moore County at Shaw's Ridge, named for Charles C. Shaw who timbered the area in the 1820s, to facilitate the transportation of local timber products, primarily naval stores, to state and regional markets.⁸

Upon taking office in 1879, Governor Thomas J. Jarvis established a Commission of Immigration to attract newcomers to the state in an effort to improve the post-Civil War economy. He appointed John T. Patrick to head the commission and tasked him with travelling the state to identify areas of potential development. In 1881, he traveled through the Sandhills region, and three years later he returned and purchased 675 acres of Shaw's Ridge.⁹

Intending to capitalize on the region's environmental assets, in particular the "clean air and dry sandy soil" of the pine forests, Patrick soon laid out a rehabilitative health resort town at Shaw's Ridge. First known as Vineland after a resort town in southern New Jersey, this town was incorporated as Southern Pines in 1887.¹⁰ The town was laid out in a grid-pattern, oriented forty-five degrees from cardinal directions. The avenues (designated East and West) were named for northern states from which he hoped to entice visitors, while streets (designated North and South) were named for state leaders and Patrick's personal friends.¹¹ He offered free lots to northern doctors in exchange for recommending the resort town to their patients and to northern newspaper editors in exchange for advertising. He also negotiated a discounted rate for railroad tickets for northerners to visit the new resort town, which by about 1890 included the shed depot, a hotel, a general store, municipal offices, and a small number of homes and rental cottages.¹²

During the last decades of the nineteenth century, Southern Pines built a reputation as an ideal location for those suffering from tuberculosis, known as consumptives. The town grew accordingly, attracting a large number of doctors and other health professionals who opened local offices. Boarding houses offered rented rooms to seasonal residents and sometimes also

⁶ Alexander, *Perspective on a Resort Community*, 9; Jay Mazzocchi, "Moore County," *NCpedia*, <https://www.ncpedia.org/geography/moore>; David G. Moore, "Catawba Indians," *NCpedia*, <https://www.ncpedia.org/catawba-indians>; Robinson, *A History of Moore County*, 7-9.

⁷ Alexander, *Perspective on a Resort Community*, 10.

⁸ Alexander, *Perspective on a Resort Community*, 12-13; Betsy Lindau, *The 1st Hundred Years of Southern Pines, North Carolina* (Southern Pines, NC: Town of Southern Pines, 1987), 7-10.

⁹ Alexander, *Perspective on a Resort Community*, 8, 11-12; Lindau, *The 1st Hundred Years*, 7-10.

¹⁰ Alexander, *Perspective on a Resort Community*, 8, 10-11, 13; Lindau, *The 1st Hundred Years*, 10-12.

¹¹ Note: Avenues are designated "East" or "West"

¹² Alexander, *Perspective on a Resort Community*, 14-16; Lindau, *The 1st Hundred Years*, 12.

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included medical care. By the late 1890s, the region's mild climate also attracted northerners seeking winter sports accommodations, with new hotels opening to serve these visitors while excluding ill guests.¹³ By 1900, Southern Pines included just over five hundred residents. New grocery stores, general stores, millineries, liveries, and pharmacies opened in downtown Southern Pines, and a new train depot was built c.1899-1900.

The Development of West Southern Pines

A small number of African Americans settled in Southern Pines in the late nineteenth century, most coming from nearby counties looking for better job opportunities. Men primarily worked as laborers in the timber industry producing turpentine, tar, and pitch or as sawmill laborers, many boarding in Black households. Others were coopers, teamsters, farmers, or other types of laborers. Women were primarily employed as housekeepers or nannies.¹⁴

By the turn of the twentieth century, the timber industries in the county were going into decline while health resorts and winter recreation became the basis of the Southern Pines economy.¹⁵ Like the White northerners patronizing sanitariums and hotels in downtown Southern Pines, African Americans came to Southern Pines to take advantage of the reputed health benefits of the region. In 1897, Dr. Lawson A. Scruggs, an African American physician who was in Shaw University Medical College's first graduating class and the first African American to pass the North Carolina medical exam, opened a sanitarium on West New York Avenue. Named for Charles Pickford, who funded Dr. Scruggs' education, the Pickford Sanitarium may have been the first in the South to treat African American tuberculosis patients. The sanitarium fell into financial difficulty, however, and in 1912 Dr. Lawson A. Scruggs sold the property with the stipulation that it be used to benefit African Americans' health or education. It operated as a R. C. Lawson School for African American students until the 1970s, attracting students from Northern cities like New York and Chicago in addition to local students.¹⁶

During the early twentieth century, Southern Pines' downtown commercial core grew with the expansion of existing hotels and the establishment of new general stores and specialty shops catering to resort patrons. Professional services expanded with the establishment of a telephone exchange, bank, and newspaper. New entertainment venues were constructed including theaters, a bowling alley, and casinos. The population of the Town of Southern Pines, including the West Southern Pines neighborhood, increased threefold during this period.

¹³ Alexander, *Perspective on a Resort Community*, 20-25, 28.

¹⁴ U.S. Census Bureau, *1880 United States Federal Census*, U.S. Federal Census Collection, Ancestry.com; "Interview with Reverend Thomas Flowers on March 11, 1982," in Nancy Mason, *Oral History of West Southern Pines, North Carolina* (Town of Southern Pines, 1987).

¹⁵ Alexander, *Perspective on a Resort Community*, 32.

¹⁶ Opal Winchester Hawkins, *Pickford Sanitarium and R.C. Lawson Institute: Two Former Institutions of Southern Pines, North Carolina*, 2008, via "Sanitarium to School: What's Behind This Old Sign in West Southern Pines," *The Sway: The Insider's Guide to The Pines*, July 13, 2020, <https://itsthesway.com/from-sanitarium-to-school-behind-this-brick-archway-in-west-southern-pines>; Alexander, *Perspective on a Resort Community*, 28.

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As Southern Pines prospered, African Americans found employment primarily in the service industries and in construction. A large number of men worked as caddies at the various country clubs and golf courses in Southern Pines and the surrounding area, or as carpenters, brick masons, builders, painters, and plasterers. Others worked at hotels and resorts as cooks and dish washers, chauffeurs, and hostlers, or in the downtown businesses, including janitors and delivery drivers. Women were also employed in the hotels and resorts, taking jobs as cooks, waitresses, laundresses, and housekeepers. It was also common for African American women to board in White households where they worked as cooks, nannies, maids, laundresses.¹⁷ Fruit orchards were another important part of the regional economy in the early twentieth century, especially peaches, blackberries, and dewberries, and many African Americans worked as fruit pickers.¹⁸

As more African Americans were drawn to Southern Pines for work, an African American community formed northwest of Southern Pines' central commercial district and White neighborhoods. This Black enclave, made up of simple cottages and boarding houses, was physically separated from the White areas of town by McDeeds Creek and its ravine.¹⁹ The community was first known as Jim Town, a name believed to be in honor of James Henderson, who owned property in West Southern Pines and who in 1887 opened the Henderson Institute, a school for Black children in Vance County. However, the name was soon changed to West Southern Pines.²⁰ It was incorporated in 1923, one of the first incorporated African American towns in the nation, but was annexed to Southern Pines in 1931.

Black Ethnic Heritage, Commerce, and Entertainment/Recreation Contexts

Establishment of Black Businesses in West Southern Pines

While Southern Pines was growing with new stores and entertainment venues in the early 1900s, African American residents were, for the most part, prohibited from patronizing these businesses. One of the unintended side effects of Jim Crow segregation and the refusal of White business owners to serve Black patrons was the opportunity for African Americans to establish their own businesses, without competition from White establishments. The earliest enterprises were typically small, family-run operations located within residential areas of West Southern Pines. By 1910, these included the George Murphy upholstery shop, W.H. Grossman and H.A. McPhaul grocery stores, the James Brown barber shop, cobblers Berry Hasty and James Petiford,

¹⁷ U.S. Census Bureau, *1900 United States Federal Census*, U.S. Federal Census Collection, Ancestry.com; U.S. Census Bureau, *1920 United States Federal Census*, U.S. Federal Census Collection, Ancestry.com; Alexander, *Perspective on a Resort Community*, 41; Mason, *Oral History of West Southern Pines*; Personal Communication with Leadership of Trinity AME Zion Church by Cheri Szcodronski, Heather Slane, and Rachel Mann, September 9, 2023, at Trinity AME Zion Church, Southern Pines, North Carolina.

¹⁸ Alexander, *Perspective on a Resort Community*, 32; Mason, *Oral History of West Southern Pines*.

¹⁹ Note: This physical separation was further entrenched with the construction of US Highway 1 in 1955, which parallels the creek and ravine, leaving Pennsylvania Avenue the only road connecting downtown Southern Pines to West Southern Pines. Alexander, *Perspective on a Resort Community*, 27; *1900 United States Federal Census*; "Interview with Reverend Thomas Flowers"; Lindau, *The 1st Hundred Years*, 56.

²⁰ "Interview with Reverend Thomas Flowers."

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laundresses Lydia Shaw and Samantha Harris, Laird Lilly's livery stable, and draymen George McLane and Calvin Mitchell.²¹

The rapid growth of Southern Pines and other nearby resort towns in the early twentieth century attracted Black tradesmen to West Southern Pines, including carpenters, woodworkers, and brick masons. Among them was Amos Broadway, a carpenter and brick mason born in Wadesboro in nearby Anson County in 1891. His parents, Sidney and Ella Broadway, moved the family to West Southern Pines by 1910, at which time Amos Broadway was working as a carpenter. He married Beatrice Tillman in 1916 and was known locally as a talented brick mason by 1920, although the U.S. Federal Census of that year lists him as a farm laborer.²²

A successful and prosperous tradesman, Broadway built one of the earliest commercial buildings in West Southern Pines. The Amos Broadway Building was completed in 1922 on a highly visible location at the northeast corner of West New York Avenue and South Hardin Street, across the street from the Industrial Union Training School (later the R. C. Lawson Institute). Broadway also built his own house next door at 1043 West New York Avenue. Sanborn Fire Insurance maps show a one-story concrete block house was completed by 1924, then expanded with a frame second story by 1944. The house remains extant but has been substantially altered. On the other side of his house at 1031 West New York Avenue, Broadway built a two-story, frame guest house and casino (no longer extant).²³ Long-time resident Fred McIver recalled that when he came to West Southern Pines in the early 1920s, the only landmark buildings in the community at the time were the churches and the Amos Broadway buildings.²⁴

Sanborn Fire Insurance Company maps show that by 1924, additional commercial buildings, most of frame construction, had been built in the vicinity of the Amos Broadway Building. A one-story commercial building and a two-story commercial building were built on South Gaines Street just north of West New York Avenue, a barber shop and three one-story commercial buildings in the 800 block of West New York Avenue, a one-story commercial building in the 700 block of West New York Avenue, and a concrete block meeting hall at the corner of South

²¹ U.S. Census Bureau, *1910 United States Federal Census*, via Ancestry.com, <https://www.ancestry.com/search/collections/7884/>.

²² *1900 United States Federal Census; 1910 United States Federal Census; 1920 United States Federal Census*; "North Carolina, U.S., Marriage Records, 1741-2011," via Ancestry.com, <https://www.ancestry.com/search/collections/60548/>; Alexander, *Perspective on a Resort Community*, 51; "Interview with Larcenia Harrington," in Mason, *Oral History of West Southern Pines*, 74; "Interview with Frank Waddell," in Mason, *Oral History of West Southern Pines*, 86.

²³ Note: Some publications report the casino/boarding house was located 1043 West New York Avenue and the Amos Broadway House at 1031 West New York Avenue, however local residents recall the extant building at 1043 West New York Avenue was the Amos Broadway House. Alexander, *Perspective on a Resort Community*, 51, 85; Ana Risano, "Amos Broadway Theater: Remembering the Past to Revitalize the Future," *The [Southern Pines] Pilot*, June 28, 2023, https://www.thepilot.com/news/amos-broadway-theater-remembering-the-past-to-revitalize-the-future/article_21981bce-15ed-11ee-bd97-c78bb5738fb4.html; "Interview with Emanuel Douglass," in Mason, *Oral History of West Southern Pines*, 17; Personal Communication with Kim Wade (local resident) by Heather Slane and Cheri Szcodronski, October 2024, Southern Pines, North Carolina; "Amos Broadway House," MR0679, North Carolina State Historic Preservation Office files, Raleigh.

²⁴ "Interview with Fred McIver on May 11, 1982," in Mason, *Oral History of West Southern Pines*, 99-100; File MR0679, NC SHPO.

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Gaines Street and West Massachusetts Avenue. By 1944, two one-story, concrete block commercial buildings were constructed in the 1100 block of West New York Avenue, and a one-story concrete block commercial building was built at the intersection of South Gaines Street and West Massachusetts Avenue. Nearly all of these commercial buildings had been torn down by the 1960s.²⁵ With the exception of a service station on West Pennsylvania Avenue, Sanborn maps do not indicate what businesses these buildings housed, though oral histories suggest they included grocery and general stores, restaurants, and additional service stations.²⁶

By the 1940s, additional businesses had been constructed in small groupings throughout the neighborhood. A one-story commercial building was constructed on West New York Avenue across South Hardin Street from the Amos Broadway Building, and four more small, one-story commercial buildings were built in the 200 block of South Gaines Street. None of these remain extant. In the mid-twentieth century, a commercial district began to form north of the Amos Broadway Building in the 1000 block of West Pennsylvania Avenue, including Jesse Grimm's grocery, a florist, a branch of North Carolina Mutual Credit Union, Loretta Hines grocery and gas station, and a one-story commercial building containing an unknown business. Further north, another small cluster of businesses was located in the 1000 block of West New Hampshire Avenue and included Joe Waddell's barber shop, a corner grocery, and McMannen's shoe shop. None of the businesses remain in operation and the few buildings remain extant are mostly vacant and in poor or ruinous condition.²⁷

Entertainment at the Amos Broadway Building

From 1922 until the mid-1940s, the Amos Broadway Building served as the primary entertainment venue in Southern Pines for Black patrons. The building included a theater space in the east section that was used primarily for dancing, and starting in the late 1920s hosted weekly movies for twenty-five cents per show. In the west section of the building, there was a café and beer garden with a Piccolo jukebox, as well as a pool hall.²⁸ Local residents remembered Broadway's as the only social opportunity for African Americans in the area in the 1920s and 1930s. "There weren't other social clubs," recalled Lessie Worthy.²⁹ "That was the only place to go," agreed Frank Waddell, who worked as a caddy in the summer and would take

²⁵ Sanborn Map Company, "Southern Pines, Moore County, North Carolina," October 1924, Historical Information Gatherers, via University of Michigan Libraries; Sanborn Map Company, "Southern Pines, Moore County, North Carolina," October 1924, Updated September 1944, Historical Information Gatherers, via University of Michigan Libraries; Personal Communication with Carolyn Chavis (West Southern Pines Resident) by Cheri Szcodronski, Heather Slane, and Rachel Mann (City of Southern Pines Planning Department), October 17, 2023, driving tour of West Southern Pines; Personal Communication with Kim Wade, October 2024.

²⁶ "Interview with Donnie Wicker on March 31, 1982," in Mason, *Oral History of West Southern Pines*, 58-59; "Interview with James McRae on June 9, 1982," in Mason, *Oral History of West Southern Pines*, 141.

²⁷ 1924 Sanborn map; 1944 Sanborn map; Personal Communication with Carolyn Chavis.

²⁸ "Interview with Ed Quick," in Mason, *Oral History of West Southern Pines*, 111; "Interview with Press Waddell on March 22, 1982," in Mason, *Oral History of West Southern Pines*, 36; "Interview with Donnie Wicker," 59; "Interview with Larcenia Harrington," 74.

²⁹ Interview with Lessie Worthy on March 12, 1982," in Mason, *Oral History of West Southern Pines*, 165.

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his tips to Broadway's.³⁰ Taxi driver Ed Quick recalled frequently taking patrons to Broadway's, explaining, "That was the only place they had to go."³¹ While Black patrons could go to the Sunrise Theater in downtown Southern Pines, it was a segregated business that required African Americans to enter through a side door and sit in the balcony.³²

Dances at the Amos Broadway Building were popular not only among residents of West Southern Pines, but among African Americans throughout the region. They were advertised by word-of-mouth, largely by those working as chauffeurs who told not only residents of West Southern Pines, but also residents of Pinehurst, Greensboro, High Point, and other nearby cities. "They would tell around when they would have a party," recalled Emanuel Douglass.³³ "People would come from all over," remembered Frank Waddell. "They come from Charlotte and Raleigh. When they gave those big dances they would come from all over."³⁴ Bessie Hasty explained that, like those who lived in West Southern Pines, many African Americans from nearby areas also came to Amos Broadway's because "they didn't have a lot of places for recreation."³⁵

Young people living in West Southern Pines also lacked opportunities for entertainment or recreation outside of church and school activities, as segregation practices largely excluded them from establishments in downtown Southern Pines and there were no parks or playgrounds in West Southern Pines.³⁶ Instead, they spent time at Broadway's. In the summer, Broadway let younger kids play at his pool hall until it opened for business at 3:00 pm.³⁷ Norma Lewis remembered that during the school year, teenagers were permitted during business hours. "After you got sixteen or seventeen you were allowed to go in. You got to play the Piccolo [jukebox],"³⁸ she recalled. "He furnished recreation when nobody else had it," recalled Emanuel Douglass.³⁹ But Broadway enforced the rules for teenagers visiting his businesses – if he caught kids skipping school to go to his theater or pool hall, he called the school to let the principal know they were there.⁴⁰

Death of Amos Broadway and Closure of Businesses

³⁰ "Interview with Frank Waddell," 87.

³¹ "Interview with Ed Quick on April 26, 1982," 111.

³² "Interview with Louise Faulk on April 27, 1982," in Mason, *Oral History of West Southern Pines*, 68; Sunrise Theater, "About the Sunrise," <https://www.sunrisetheater.com/about>; Personal Communication with Carolyn Chavis; Personal Communication with Leadership of Trinity AME Zion Church.

³³ "Interview with Emanuel Douglass," 19.

³⁴ "Interview with Frank Waddell," 86.

³⁵ "Interview with Bessie Hasty and Floyd McDonald on May 12, 1982," in Mason, *Oral History of West Southern Pines*, 122.

³⁶ "Interview with Donnie Wicker," 59; Personal Communication with Carolyn Chavis.

³⁷ "Interview with Emanuel Douglass," 19.

³⁸ "Interview with Norma Lewis," in Mason, *Oral History of West Southern Pines*, 135-136.

³⁹ "Interview with Emanuel Douglass," 19.

⁴⁰ "Interview with Emanuel Douglass," 19.

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In spite of the popularity of the pool hall and dances, Amos Broadway and his businesses had a poor reputation among certain residents of West Southern Pines. Long-time resident George Ross recalled Broadway being known as “an outlaw” and that as a child, “You would go to school on New York Avenue. After you came home from school you didn’t go back down that street.”⁴¹ Donnie Wicker had similar memories, saying, “We weren’t even allowed to walk that side of the street... My mother didn’t allow it.”⁴² Larcenia Harrington recalled Broadway was known for allowing gambling and selling whiskey.⁴³ This suggests the primary source of the establishment’s poor reputation was linked to the casino that Broadway operated at the guest house near his commercial building. “The only people that got into trouble in those days were the people that gambled,” recalled Joe Waddell. “That’s where all the trouble started.”⁴⁴

Among the most remembered events at the Amos Broadway Building are the various confrontations that took place over the years. In 1927, beer garden employee Ira Yates and police officer John Allen got into a disagreement and shot each other. Though the details of the event are unclear, both men later died.⁴⁵ Broadway himself was involved in a few such events. In 1935, during a confrontation between Broadway and patron J. Brower, Broadway shot at Brower but hit Norman Dowdy instead, hospitalizing him. He voluntarily paid Dowdy’s hospital bills and was later sentenced to three years probation.⁴⁶ The following year, two men fired on Broadway while he was removing them from the café. Broadway suffered gunshot wounds to the hip and leg, which was later amputated.⁴⁷

In 1940, the violence culminated when West Southern Pines resident Eugene Hainsworth killed Amos Broadway following a disagreement over the jukebox.⁴⁸ Willa Mae Harrington recalled, “He went to put this young kid out of his place and the young man went home and got his shotgun, [then] came back and waited until Amos closed the place up to go home and he shot him.”⁴⁹ The local newspaper reported, “An argument occurred early Friday night, and about midnight Hainsworth is alleged to have returned to the Broadway emporium to await his man. When Broadway started for his home, he was shot in the back.”⁵⁰ Broadway died two days later

⁴¹ “Interview with George Ross on March 15, 1982,” in Mason, *Oral History of West Southern Pines*, 46.

⁴² “Interview with Donnie Wicker,” 59.

⁴³ “Interview with Larcenia Harrington,” 74.

⁴⁴ “Interview with Joe Waddell,” in Mason, *Oral History of West Southern Pines*, 146.

⁴⁵ “Negro Government Turning Out Badly: One Dead, One Nearly Dead, Result of Row at W. Southern Pines,” *[Raleigh] News and Observer*, December 18, 1927, Newspapers.com; “Interview with Reverend Thomas Flowers,” 29; “Interview with Willa Mae Harrington on March 2, 1982,” in Mason, *Oral History of West Southern Pines*, 78; “Interview with Fred McIver,” 100-101.

⁴⁶ “Amos Broadway Held for ‘Jimtown’ Shooting: Norman Dowdy in Hospital with Bullet Wound in Left Shoulder,” *The [Southern Pines] Pilot*, October 4, 1935, DigitalNC.org; “Amos Broadway Held for Superior Court,” *The [Southern Pines] Pilot*, November 1, 1935, DigitalNC.org; “Other Cases Heard,” *[Greensboro] News and Record*, January 23, 1937, Newspapers.com; “Interview with Willa Mae Harrington,” 78.

⁴⁷ “Amos Broadway in Hospital Following Affray Saturday,” *The [Southern Pines] Pilot*, September 11, 1936, DigitalNC.org; “Interview with Willa Mae Harrington,” 78.

⁴⁸ “Interview with Emanuel Douglass,” 19; “Interview with George Ross,” 46-47, 49; “Interview with Willa Mae Harrington,” 78.

⁴⁹ “Interview with Willa Mae Harrington,” 78.

⁵⁰ “Amos Broadway Dies After Jimtown Shooting: Eugene Hainesworth Held for Murder Following Fracas in W. Southern Pines,” *The [Southern Pines] Pilot*, November 1, 1940, DigitalNC.org.

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at the Moore County Hospital in Carthage.⁵¹ Hainsworth, just eighteen years old at the time, pled guilty at his January 1941 trial and was sentenced to 20-25 years at the state prison in Greensboro.⁵²

Broadway's businesses remained open under the management of his heirs until at least 1943, but the Amos Broadway Building was sold to Albert Lutz soon after. Lutz operated Master's Cleaners while his wife managed Amy's Creamery and Teenage Soda Jerk.⁵³ "It used to be where they had a good time going there," Felton Capel recalled. But after Broadway's death, "all of that ceased to exist."⁵⁴

Post-World War II Commerce and Entertainment in West Southern Pines

By the 1950s, businesses in West Southern Pines were concentrated along the West Pennsylvania Avenue corridor. Commercial buildings in the 800 block of West Pennsylvania Avenue housed a taxi stand; Pugh's Place laundromat, auto garage, and restaurant; an auto garage and fish market; Mack Shack Grocery; a gas station; and a doctor's office and boarding house. Hines grocery and gas station, Jesse Grimm's grocery, a florist, North Carolina Mutual Credit Union, McLean's grocery, and Bennett's grocery were located in the 1000 block of West Pennsylvania Avenue and around the corner in the 100 block of South Gaines Avenue. At the north end of this corridor, Five Points Garage, Fred Waldon's Garage, a café, and Mrs. Baker's flower shop were located in the 1200 block of West Pennsylvania Avenue, with Bostis Funeral Home and Lux Cleaners and Tailors around the corner on South Glover Street. With the exception of Bostis Funeral Home, which now operates as Kendrick's Funeral Home, none of these businesses remain in operation and nearly all of the buildings are vacant, ruinous, or have been demolished.⁵⁵

Another cluster of businesses was located in the 1000 and 1100 blocks of West New Hampshire Avenue and included Joe Waddell's Barber Shop, McMannen's shoe shop, a grocery, a branch of North Carolina Mutual Credit Union, and Lem Cash's grocery. Other businesses were scattered throughout West Southern Pines, most located inside the business owner's home or in small adjacent buildings. These included beauty parlors and barber shops, grocery and general stores, an appliance repair shop, and a funeral home. Though some of these buildings remain extant, none of the businesses remain in operation, leaving the buildings vacant and often in ruinous condition.⁵⁶

Small businesses like corner stores, funeral homes, automobile repair shops, and barber and beauty shops flourished in West Southern Pines throughout the mid-twentieth century, but by the

⁵¹ "Amos Broadway Dies."

⁵² "4 Murder Cases on Trial Docket Here Next Week: Amos Broadway and Unchurch Slayings Among Those to be Heard by Superior Court," *The [Southern Pines] Pilot*, January 17, 1941, DigitalNC.org; "Minton Is Freed After Trial For Upchurch Death," *The [Southern Pines] Pilot*, January 31, 1941, DigitalNC.org.

⁵³ Risano, "Amos Broadway Theater.

⁵⁴ "Interview with Felton Capel on May 5, 1982," in Mason, *Oral History of West Southern Pines*, 133.

⁵⁵ Personal Communication with Carolyn Chavis.

⁵⁶ Personal Communication with Carolyn Chavis.

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1980s, most residents went to downtown Southern Pines for the majority of their grocery and retail shopping. In addition, there were no other entertainment venues similar to that of Amos Broadway's in the neighborhood for decades following his death.⁵⁷ In the 1970s, Giles Shamberger bought the Amos Broadway Building from the Lutz family. Shamberger continued to operate the dry-cleaning business while his daughter managed a café. He also leased space for Garrett's barber shop and a number of other businesses. Notably, Shamberger briefly leased a portion of the building for Austin's game room, returning to the building's legacy as a neighborhood entertainment space.⁵⁸

Throughout the late twentieth and early twenty-first centuries, the building was used intermittently for a variety of businesses. These included a soda fountain operated by Doll Farmer, restaurants operated by Jeff Jeffries and Pete Wilson, David Stubb's Peppermint Lounge, a barbershop, the Francis Kitchen soul food restaurant, and a local church congregation; however, the details of occupation are not clear. The building was purchased by Tony Fairly in 2021 and is currently vacant.⁵⁹

Overall, very little of the early to mid-twentieth century commercial landscape remains in West Southern Pines, and the Amos Broadway Building is the only commercial building that represents pre-World War II African American entertainment in this area. Though now vacant and deteriorated, the Amos Broadway Building remains an important landmark in the West Southern Pines neighborhood and fondly regarded by many local residents. Larcenia Harrington recalled that the Amos Broadway businesses were housed in "real nice buildings."⁶⁰ Frank Waddell expressed similar sentiments, recalling, "I thought it was the most beautiful place in the world."⁶¹ Joe Waddell summarized the significance of the building, saying simply, "Amos had a nice place. If it hadn't been for the Broadways, people wouldn't have had any place to go."⁶² And Historian Ann C. Alexander concluded the Amos Broadway Building, "served as a popular social and cultural center for the [Black] population."⁶³

⁵⁷ Personal Communication with Carolyn Chavis.

⁵⁸ Risano, "Amos Broadway Theater."

⁵⁹ Risano, "Amos Broadway Theater."

⁶⁰ "Interview with Larcenia Harrington," 74.

⁶¹ "Interview with Frank Waddell," 86.

⁶² "Interview with Joe Waddell," 146.

⁶³ Alexander, *Perspective on a Resort Community*, 51.

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Name of Property

Moore County, NC
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<https://www.ancestry.com/search/collections/6061/>.

Previous documentation on file (NPS):

☐ preliminary determination of individual listing (36 CFR 67) has been requested
☐ previously listed in the National Register
☐ previously determined eligible by the National Register
☐ designated a National Historic Landmark
☐ recorded by Historic American Buildings Survey # _____
☐ recorded by Historic American Engineering Record # _____
☐ recorded by Historic American Landscape Survey # _____

Primary location of additional data:

☒ State Historic Preservation Office
☐ Other State agency

Amos Broadway Building
Name of Property

Moore County, NC
County and State

☐ Federal agency
☐ Local government
☐ University
☐ Other
Name of repository: _____

Historic Resources Survey Number (if assigned): MR0680

10. Geographical Data

Acreage of Property 0.228 acres

Use either the UTM system or latitude/longitude coordinates

Latitude/Longitude Coordinates

Datum if other than WGS84: _____

(enter coordinates to 6 decimal places)

1. Latitude: 35.183797 Longitude: -79.402683

Verbal Boundary Description (Describe the boundaries of the property.)

The National Register boundary is shown by a black line on the accompanying map, drawn at a 1"=200' scale and aligning with the boundary of tax parcels (#857220926076).

Boundary Justification (Explain why the boundaries were selected.)

The nominated boundary contains the parcel historically associated with the Amos Broadway Building. A house, also associated with Amos Broadway, stands on the adjacent parcel to the southeast; however, it is under separate ownership, interior access was not available, and the exterior (with synthetic siding, replacement windows, and a fully enclosed porch) does not retain sufficient integrity to contribute to the historic significance of the nominated property. Thus, that property is not included within the boundary.

11. Form Prepared By

name/title: Heather M. Slane and Cheri Szcodronski

organization: hmvPreservation

street & number: P. O. Box 355

city or town: Durham state: NC zip code: 27702

Amos Broadway Building
Name of Property

Moore County, NC
County and State

e-mail heather@hmwpreservation.com
telephone: 336.207.1502
date: September 15, 2024

Additional Documentation

Submit the following items with the completed form:

- **Maps:** A USGS map or equivalent (7.5 or 15 minute series) indicating the property's location.
- **Sketch map** for historic districts and properties having large acreage or numerous resources. Key all photographs to this map.
- **Additional items:** (Check with the SHPO, TPO, or FPO for any additional items.)

Photographs

Submit clear and descriptive photographs. The size of each image must be 1600x1200 pixels (minimum), 3000x2000 preferred, at 300 ppi (pixels per inch) or larger. Key all photographs to the sketch map. Each photograph must be numbered and that number must correspond to the photograph number on the photo log. For simplicity, the name of the photographer, photo date, etc. may be listed once on the photograph log and doesn't need to be labeled on every photograph.

Photo Log

Name of Property: Amos Broadway Building
City or Vicinity: Southern Pines
County: Moore County State: North Carolina
Photographer: Cheri Szcodronski
Date Photographed: September 2023

Description of Photograph(s) and number, include description of view indicating direction of camera:

1 of 10
Exterior, facing east

2 of 10
Exterior, facing northeast

Amos Broadway Building

Name of Property

Moore County, NC

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3 of 10

Exterior, facing north

4 of 10

Interior, east bay, facing east

5 of 10

Interior, east bay, facing north

6 of 10

Interior, east bay, facing west

7 of 10

Interior, east bay, facing northeast

8 of 10

Interior, east bay, facing east

9 of 10

Interior, center bay, facing west

10 of 10

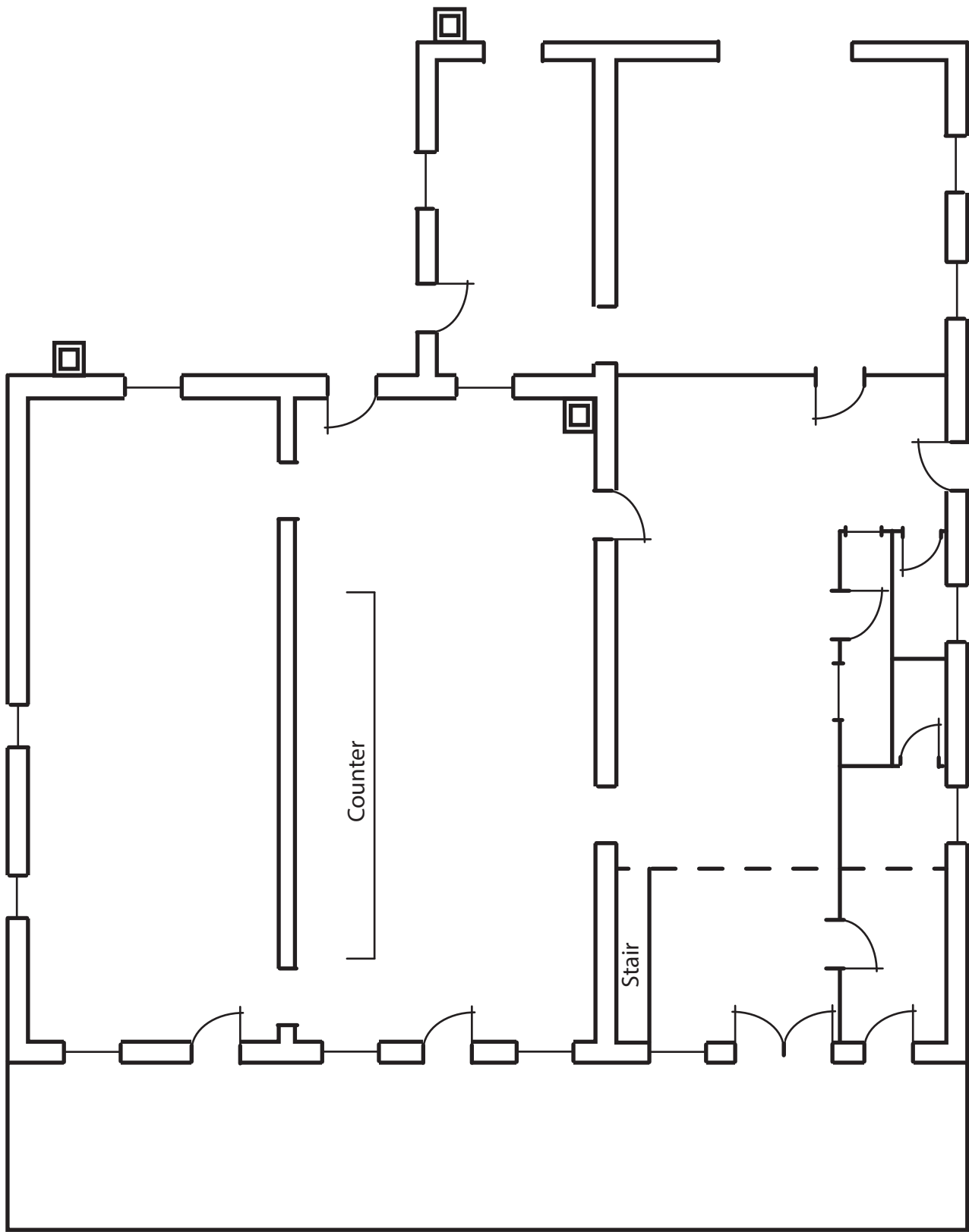
Interior, center bay addition, facing northwest

Paperwork Reduction Act Statement: This information is being collected for nominations to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C.460 et seq.). We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

Estimated Burden Statement: Public reporting burden for each response using this form is estimated to be between the Tier 1 and Tier 4 levels with the estimate of the time for each tier as follows:

Tier 1 – 60-100 hours
Tier 2 – 120 hours
Tier 3 – 230 hours
Tier 4 – 280 hours

The above estimates include time for reviewing instructions, gathering and maintaining data, and preparing and transmitting nominations. Send comments regarding these estimates or any other aspect of the requirement(s) to the Service Information Collection Clearance Officer, National Park Service, 1201 Oakridge Drive Fort Collins, CO 80525.

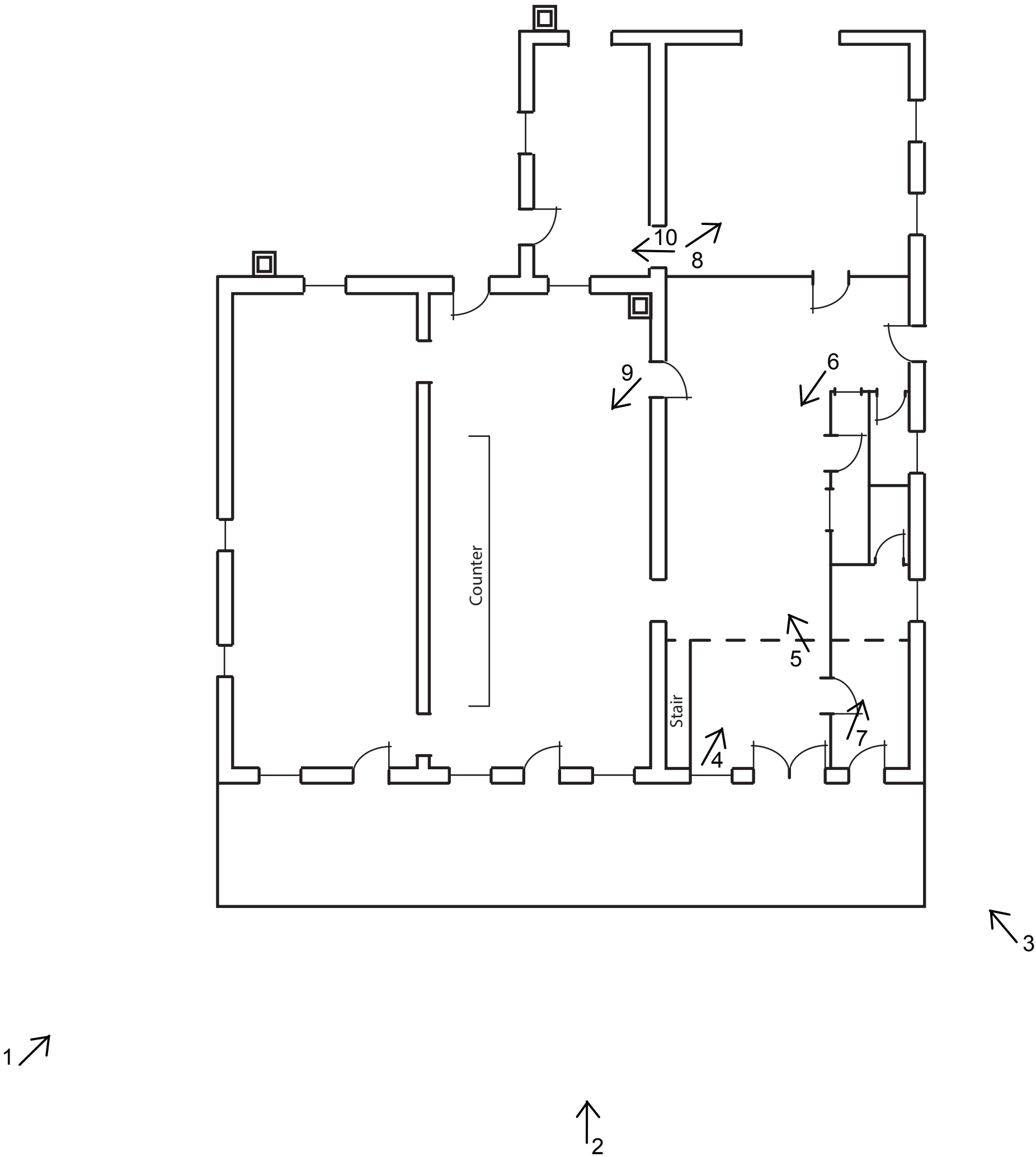


Amos Broadway Building
1071 West New York Avenue
Southern Pines, MooreCounty, NC

Floor Plan
 Concrete-block Walls
 Frame Partition Walls



Prepared 6/1/2024 by hmwPreservation

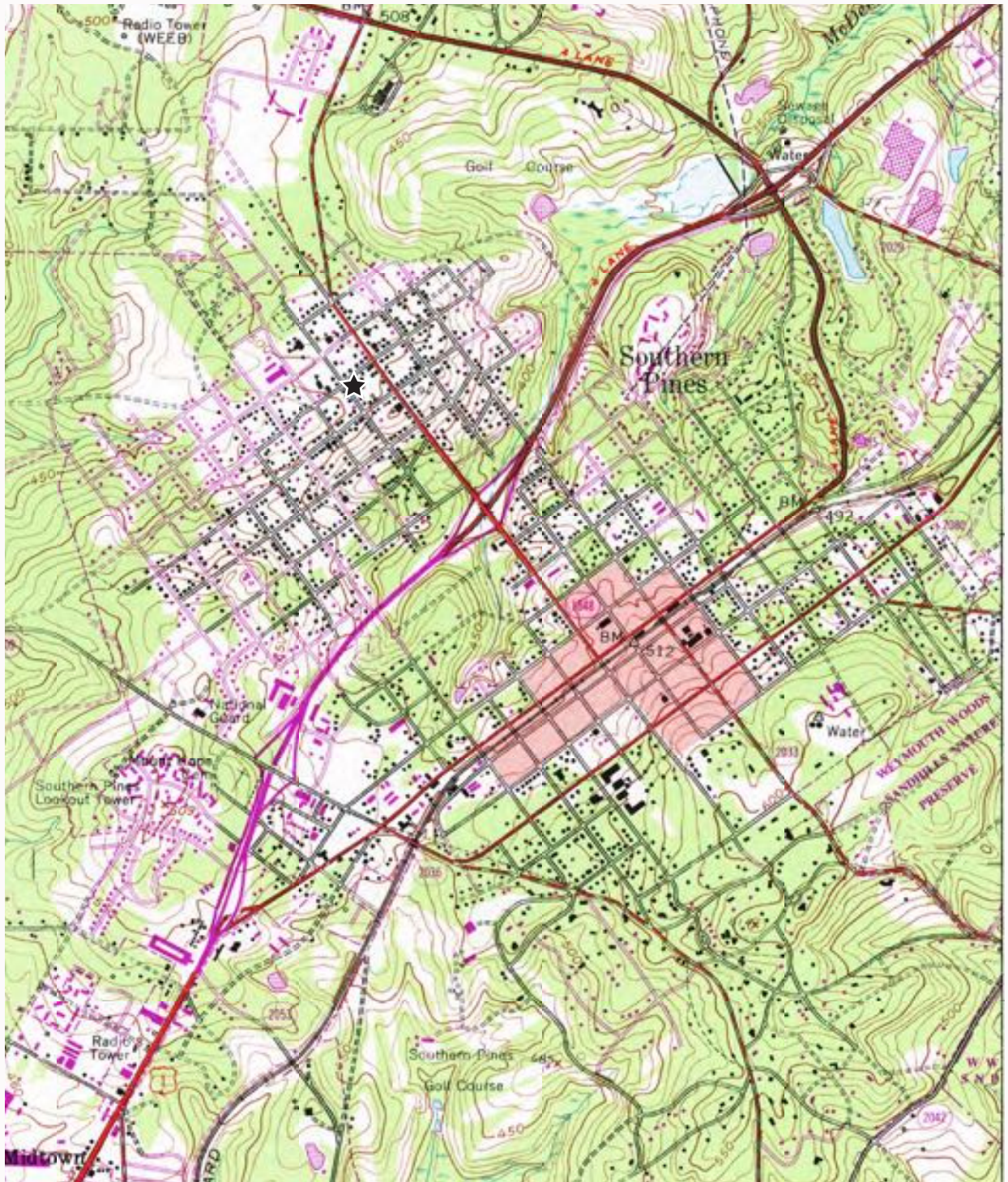


Amos Broadway Building
National Register Photo Key
1071 West New York Avenue
Southern Pines, MooreCounty, NC

- ← 1 Photo View
Concrete-block Walls
Frame Partition Walls



Prepared 8/1/2024 by hmwPreservation



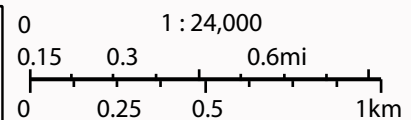
National Register of Historic Places Nomination

Amos Broadway Building

1071 West New York Avenue, Southern Pines
Moore County, North Carolina

National Register Location Map

Prepared by hmwPreservation 2024 utilizing the Southern Pines 1957 USGS 7.5minute map



★ Location of NR Property























United States Department of the Interior
National Park Service**National Register of Historic Places Registration Form**

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions.

1. Name of PropertyHistoric name: Trinity AME Zion Church

Other names/site number: _____

Name of related multiple property listing:

N/A

(Enter "N/A" if property is not part of a multiple property listing)

2. LocationStreet & number: 972 West Pennsylvania AvenueCity or town: Southern Pines State: NC County: MooreNot For Publication: ☐ Vicinity: ☐**3. State/Federal Agency Certification**

As the designated authority under the National Historic Preservation Act, as amended,

I hereby certify that this X nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60.

In my opinion, the property X meets does not meet the National Register Criteria. I recommend that this property be considered significant at the following level(s) of significance:

 national statewide X local

Applicable National Register Criteria:

X A B X C D_____
Signature of certifying official/Title:**Date**_____
State or Federal agency/bureau or Tribal Government

Name of Property _____

County and State _____

In my opinion, the property ___ meets ___ does not meet the National Register criteria.

Signature of commenting official:

Date

Title :

**State or Federal agency/bureau
or Tribal Government**

4. National Park Service Certification

I hereby certify that this property is:

- ___ entered in the National Register
___ determined eligible for the National Register
___ determined not eligible for the National Register
___ removed from the National Register
___ other (explain:) _____

Signature of the Keeper

Date of Action

5. Classification

Ownership of Property

(Check as many boxes as apply.)

- Private: ☒ X
Public – Local ☐
Public – State ☐
Public – Federal ☐

Category of Property

(Check only **one** box.)

- Building(s) ☒ X
District ☐
Site ☐
Structure ☐
Object ☐

Trinity AME Zion Church
Name of Property

Moore County, NC
County and State

Number of Resources within Property

(Do not include previously listed resources in the count)

Contributing	Noncontributing	
<u>1</u>	<u>0</u>	buildings
<u>0</u>	<u>0</u>	sites
<u>0</u>	<u>0</u>	structures
<u>0</u>	<u>0</u>	objects
<u>1</u>	<u>0</u>	Total

Number of contributing resources previously listed in the National Register 0

6. Function or Use

Historic Functions

(Enter categories from instructions.)

RELIGION: Religious Facility

Current Functions

(Enter categories from instructions.)

RELIGION: Religious Facility

Trinity AME Zion Church
Name of Property

Moore County, NC
County and State

7. Description

Architectural Classification

(Enter categories from instructions.)

Late Gothic Revival

Materials:

(enter categories from instructions.)

Principal exterior materials of the property:

Foundation/Walls: Brick

Roof: Asphalt

Gables: Vinyl

Narrative Description

(Describe the historic and current physical appearance and condition of the property. Describe contributing and noncontributing resources if applicable. Begin with a **summary paragraph** that briefly describes the general characteristics of the property, such as its location, type, style, method of construction, setting, size, and significant features. Indicate whether the property has historic integrity.)

Narrative Description

Trinity AME Zion Church is located on the south side of West Pennsylvania Street, roughly three-quarters of a mile northwest of downtown Southern Pines and one-third of a mile northwest of the intersection with US-1. The front-gabled, Gothic Revival-style, brick church, completed in 1923, is the oldest extant religious structure in West Southern Pines (west of US-1) and the best example of Gothic Revival-style architecture in West Southern Pines. The church stands on 0.31 acres, with the building located on a slight rise above West Pennsylvania Street. The building is accessed by brick steps flanking a brick retaining wall. The church features a front-gabled form with square towers flanking the façade and a pointed-arch, stained-glass window centered between the towers. Matching pointed-arch windows are centered on the northwest and southeast elevations, below low gables.

Site and Setting

Trinity AME Zion Church is located in Southern Pines, North Carolina, a town of approximately 16,000 people, situated in east-central Moore County roughly five miles east of Pinehurst, the county seat. It stands in an area known as West Southern Pines, established by African

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Americans as an independent municipality in 1923. West Southern Pines was annexed into Southern Pines in 1931, though remains physically separated from the rest of Southern Pines by US-1. The church stands on the south side of West Pennsylvania Avenue, the main thoroughfare through West Southern Pines and the only east-west street that connects to Southern Pines, extending over US-1 via an overpass. The length of West Pennsylvania Avenue contains a mixture of commercial, residential, and institutional resources, often integrated within a single block. Development to the west and south of the church, along South Gaines Street and West New York Avenue, is largely residential. The grid plan of West Southern Pines is skewed roughly fifty-five degrees north of true west. As a result, West Pennsylvania Avenue, while designated with an east-west orientation, actually extends northwest to southeast.

The site includes two adjacent parcels that front on West Pennsylvania Avenue and total 0.31 acres.¹ The church stands on the northwest of the two parcels and is situated close to the northeast property line. There is no sidewalk on this part of West Pennsylvania Avenue, but only a narrow strip of grass immediately adjacent to the concrete curb. The grassy strip is only about two feet deep and is bordered by a brick retaining wall that stands three to four feet high, the base of the wall following the terrain of the site. The center portion of the wall extends up an additional three feet and an aluminum-framed sign panel is set into this portion of the wall. Brick steps are located at the northwest and southeast ends of the wall. Metal pipe railings set within brick cheek walls flank the stairs at the far northwest and southeast. A metal pipe railing also extends across the top of the brick wall, interrupted by the brick sign. A grassy area is located southwest of the retaining wall, between the wall and the steps of the church, with bushes planted along the top of the wall. Paved concrete sidewalks extend from the top of both sets of stairs to the base of the church steps. Sidewalks also extend to paved parking lots flanking the church to the northwest and southeast.²

The majority of the southeast parcel has been paved for parking. The parking lot is accessed via a driveway from West Pennsylvania Avenue that extends along the southeast property line, bordered by low bushes on the adjacent parcel. Only the north corner of the parcel is planted with grass and bisected by a paved walkway from the parking lot to the church steps. A row of bushes extends along the southwest property line. The west end of the northwest parcel, on which the church stands, is also paved for parking with a driveway to connect the two parking areas northwest and southeast of the church.

Building Exterior

Trinity AME Zion Church is illustrative of the early-twentieth-century Gothic Revival style, featuring pointed-arch stained-glass windows throughout. It also includes paired, square entrance towers, a common feature of historically African American churches. The building stands on a raised brick foundation that was constructed of a darker, reddish-brown brick. The basement level features segmental-arch window openings on the side elevations, the bays separated by

¹ The lots include lots 11 and 12 of Block L-11 of the 1894 "Map of Southern Pines." Moore County Register of Deeds, Map Book 1 Section 2 Page 70.

² The parking lot to the northwest was not part of the historic purchase of land, but was instead purchased in 1985 and has thus been excluded from the boundary.

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brick buttresses with cast-concrete caps. A brick beltcourse separates the basement level from the main level, which is veneered with reddish-orange brick. The gabled roof is finished with asphalt shingles and bordered by aluminum gutters and vinyl-covered soffits.

A wide, pointed-arch, stained-glass window is centered on the front-gabled façade, which faces West Pennsylvania Avenue. The window is flanked by square entrance towers that extend beyond the façade with the church entrances located on the side elevations of the towers, facing the center window. A brick landing spans the space between the towers, in front of the window, and is sheltered by an extension of the main gabled roof, which projects northeast to be flush with the front elevations of the towers. This gable has vinyl siding and a vinyl vent. A pendant light suspended from the gabled roof lights the entrances and center window. The brick landing that connects the entrances is accessed by a wide brick stair, which extends halfway to the ground, then splits into two stairs, extending northwest and southeast. All of the stairs have metal pipe railings.

The square towers are identical in plan at the basement and first stories. Each has a basement-level, six-panel door centered on its façade. Each door is located slightly below grade within a segmental, brick arch. The doors are accessed via brick steps, the entries flanked by brick half-walls and sheltered by gabled roofs supported by decorative metal posts. The roofs feature vinyl siding in the gables and vinyl soffits. A cornerstone to the north of the northwest entrance reads, "Trinity A. M. E. Z. Church – Erected A. D. 1923 – J. W. Bethea – Chair, Trustee Board – Rev. J. A. Bridges A. B. Pastor." Double-hung windows on the basement-level outer elevations of the towers are set within segmental-arch openings. At the main level, pointed-arch stained-glass windows on the façade and outer elevations of the towers feature a double course of rowlock brick forming the pointed-arch lintel and a cast-concrete sill. The southeast tower has a rounded-arch opening near the top of the tower, infilled with vinyl siding. A beltcourse extends around the tower several feet below the roofline. The northwest tower is slightly taller and features pointed-arch openings on the northeast and northwest elevations. The openings are slightly wider than the windows below and have been infilled with vinyl siding. Both towers have flat roofs.

The side elevations of the sanctuary are six bays deep, the bays separated by brick pilasters that rest on the basement-level buttresses. The building features pointed-arch window and door openings throughout. Each pointed-arch stained-glass window has a cast-concrete sill and a double course of rowlock brick forming the pointed-arch lintel. The center bays of the northwest and southeast elevations each contain a wide window matching the window on the façade. Each of these windows is set below a low gable at the roofline. A later, brick, shed-roofed bay projects from the southwest corner of the church. The bay contains an entrance on its northeast elevation. The entrance is accessed by a concrete ramp that wraps around the southwest corner of the building. The ramp is bordered by a brick knee wall with a metal railing atop the wall. The rear (southwest) elevation is four bays wide and features vinyl siding in the gable. An original exterior brick chimney has been shortened, now extending only to the sill height of the main-level windows. An entrance at the west end of the northwest elevation features a replacement, six-panel door below a pointed-arch transom. It is accessed by a brick stair that extends along the northwest elevation. The stair is bordered by a brick knee wall with metal pipe railing.

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Building Interior

The interior of the sanctuary features wood floors that have been covered with carpeting and a beaded-board ceiling, which had been covered with a dropped ceiling. The dropped ceiling failed, and when it pulled away from the ceiling, damaged a portion of the beadboard, which is currently being repaired. Original plaster walls have been covered with drywall. A plywood wainscot has been installed on the lower part of the wall, below the windowsills. A raised chancel at the southwest end of the building is lit by the center two windows on the southwest elevation. It is framed by an angled opening that follows the angle of the ceiling and is framed by molded wood. The framed opening extends across the center part of the building creating a recessed chancel with choir loft that is flanked by small rooms. The loft is separated from the alter space by a beaded-board knee wall. It features pews arranged on a stepped floor.

Each of the flanking rooms is accessed from the sanctuary and the chancel by hollow-core doors. The door from the southeast corner of the sanctuary is topped by a blind transom, while the entrance at the northwest corner of the sanctuary does not have a door. Panels above each door opening, installed to facilitate air circulation and the heating of the space, feature fabric screens covered with geometric wood frames. The rooms flanking the chancel feature dropped ceilings that obscure the tops of the pointed-arch windows and, on their outer walls, contain the additional exits to the building.

On the northeast elevation of the sanctuary, flanking the front window, there are two pairs of doors that lead to the two entrance towers. The hollow-core doors each have a single diamond-shaped light. Above the doors, within the surround, is a wide band containing two molded panels. The doors are trimmed with plain, flat-board surrounds. The northwest entrance tower contains a stair that extends around the interior of the tower, separated from the main level by a half-height wall. The stairwell is lit by the stained-glass windows on the main level of the tower. The southeast tower contains a simple vestibule with chair rail. Both towers have beaded-board ceilings and plaster walls.

The basement level contains a fellowship hall, bathrooms, and several meeting rooms. The space has a tiled floor, paneled wainscot, and drywall walls and ceilings. Metal posts support the main floor. Spaces are divided by frame walls covered with drywall and separated by six-panel doors with flat-board trim.

Integrity Assessment

The 1923 Trinity AME Zion Church retains integrity of location, setting, design, workmanship, materials, feeling, and association. Located on its original site, the building retains its historic setting within a neighborhood of mixed commercial and residential development. The site maintains its original circulation patterns, brick stairs and walls, foundation plantings, and parking relegated to the southwest and southeast of the building. The church retains integrity of design, workmanship, and materials with original overall form, exterior brickwork, and windows on the main level of the building. The interior retains its original floor plan, with later walls and alterations only at the basement level. Original finishes include beaded-board ceilings and wood

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floors beneath the carpet. Despite minor material changes, the church as a whole retains sufficient integrity of design, materials, and workmanship to convey the property's historic feeling and association.

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8. Statement of Significance

Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- ☒ A. Property is associated with events that have made a significant contribution to the broad patterns of our history.
- ☐ B. Property is associated with the lives of persons significant in our past.
- ☒ C. Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- ☐ D. Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "x" in all the boxes that apply.)

- ☒ A. Owned by a religious institution or used for religious purposes
- ☐ B. Removed from its original location
- ☐ C. A birthplace or grave
- ☐ D. A cemetery
- ☐ E. A reconstructed building, object, or structure
- ☐ F. A commemorative property
- ☐ G. Less than 50 years old or achieving significance within the past 50 years

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Areas of Significance

(Enter categories from instructions.)

Ethnic Heritage – Black

Social History – Civil Rights

Politics

Architecture

Period of Significance

1923 – 1969

Significant Dates

N/A

Significant Person

(Complete only if Criterion B is marked above.)

N/A

Cultural Affiliation

N/A

Architect/Builder

N/A

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Statement of Significance Summary Paragraph (Provide a summary paragraph that includes level of significance, applicable criteria, justification for the period of significance, and any applicable criteria considerations.)

Trinity AME Zion Church is significant at the local level under Criterion A for Black Ethnic Heritage, Social History/Civil Rights, and Politics as a foundational institution in the historically African American community of West Southern Pines. In addition to its role in spiritual guidance, Trinity Church is an important representation of the social function of churches within Black communities, the role of churches in incubating Black political leadership and civic participation, and the church as a model of Black agency and independence during segregation. Trinity Church served as the social center of West Southern Pines, with its members providing each other with a sense of community, safety, and support during the Jim Crow era in the South. The church played a critical role in the daily lives of both its members and the Black community at large during the early and mid-twentieth century when statutory and de facto segregation controlled access to public spaces, resources, and discourse. Church members were engaged in the political activities of Southern Pines, taking a primary role in the incorporation of West Southern Pines, fostering Black political leadership, and participating in Civil Rights demonstrations.

Trinity AME Zion Church is also significant at the local level under Criterion C for Architecture as it embodies the distinctive characteristics of the Gothic Revival style in the West Southern Pines area of the Town of Southern Pines. Completed in 1923, the church retains square towers, pointed arch windows and doors, and buttresses characteristic of the Gothic Revival style. The interior of the building also remains remarkably intact, featuring the original floor plan, pine floors, beaded-board ceiling, and window and door surrounds.

Trinity AME Zion Church meets Criteria Consideration A as it derives its primary significance in the areas of Black Ethnic Heritage, Social History, and Architecture, rather than for its religious affiliation.

The period of significance begins in 1923 when the church was constructed and ends in 1969 following widespread desegregation throughout Southern Pines and Moore County. Prior to desegregation, the church held a critical role in the social and political lives of the African American community in West Southern Pines, from which it derives its significance. Though this role continues today, it was inherently changed following widespread desegregation and the integration of schools in Southern Pines and Moore County.

Narrative Statement of Significance (Provide at least **one** paragraph for each area of significance.)

Historical Background

Establishment of the Town of Southern Pines

Trinity AME Zion Church is located in the Town of Southern Pines in Moore County. Moore County was formed in 1784 from Cumberland County and was named for Alfred Moore, a Revolutionary War leader,

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prominent state politician, and United States Supreme Court Justice.³ Southern Pines is approximately thirteen miles south of Carthage, the county seat, and approximately five miles east of Pinehurst, the county's largest village.⁴

Present-day Moore County is believed to have been inhabited by the Cheraw, a Siouan tribe that joined with the Catawba around 1730. Indigenous peoples set up camps along the various creeks throughout the area, as well as on the Yadkin and Pee Dee Trails. By the 1750s, the Catawba had been largely forced onto a reservation in South Carolina, while European and European Americans, primarily Highland Scots, had begun to settle in present-day Moore County.⁵ By 1830, there were approximately 7,500 people living in Moore County, carving out a living as farmers, timbermen, and trappers.⁶

Throughout the mid-nineteenth century, growth was slow in the area that would become Southern Pines, in part due to the sandy, agriculturally poor soils, and in part due to the upheaval surrounding the Civil War and its aftermath. The region's economy began to recover with the arrival of the Raleigh and Augusta Airline in 1877 (later the Seaboard Airline Railroad), which connected Raleigh to the northeast with Hamlet to the southwest of Southern Pines, and through those towns connected to broader transportation networks in Virginia, South Carolina, and Georgia. A small depot was constructed at Shaw's Ridge, facilitating the transportation of local timber products, primarily naval stores, to state and regional markets.⁷

Upon taking office in 1879, Governor Thomas J. Jarvis established a Commission of Immigration to attract newcomers to the state in an effort to improve the post-Civil War economy. He appointed John T. Patrick to head the commission and tasked him with travelling the state to identify areas of potential development. In 1881, he traveled through the Sandhills region, and three years later he returned and purchased 675 acres of Shaw's Ridge, named for Charles C. Shaw who timbered the area in the 1820s, including present-day Southern Pines.⁸

Intending to capitalize on the region's environmental assets, in particular the "clean air and dry sandy soil" of the pine forests, Patrick soon laid out a rehabilitative health resort town, first known as Vineland after a resort town in New Jersey, but incorporated as Southern Pines in 1887.⁹ The town was laid out in a grid-pattern, oriented forty-five degrees from cardinal directions. The east-west avenues (which actually run southeast to northwest) were named for northern states from which he hoped to entice visitors, while the north-south streets (which actually run northeast to southwest) were named for state leaders and Patrick's personal friends. He offered free lots to northern doctors in exchange for recommending the resort town to their patients and to northern newspaper editors in exchange for advertising. He also negotiated a discounted rate for railroad tickets for northerners to visit the new resort town, which by

³ Ann C. Alexander, *Perspective on a Resort Community: Historic Buildings Inventory, Southern Pines, North Carolina* (Southern Pines, NC: Town of Southern Pines, 1981), 10; Blackwell P. Robinson, *A History of Moore County, North Carolina, 1947-1847* (Southern Pines, NC: Moore County Historical Association, 1956), 92-93.

⁴ Robinson, *A History of Moore County*, 104-106.

⁵ Alexander, *Perspective on a Resort Community*, 9; Jay Mazzocchi, "Moore County," *NCpedia*, <https://www.ncpedia.org/geography/moore>; David G. Moore, "Catawba Indians," *NCpedia*, <https://www.ncpedia.org/catawba-indians>; Robinson, *A History of Moore County*, 7-9.

⁶ Alexander, *Perspective on a Resort Community*, 10.

⁷ Alexander, *Perspective on a Resort Community*, 12-13; Betsy Lindau, *The 1st Hundred Years of Southern Pines, North Carolina* (Southern Pines, NC: Town of Southern Pines, 1987), 7-10.

⁸ Alexander, *Perspective on a Resort Community*, 8, 11-12; Lindau, *The 1st Hundred Years*, 7-10.

⁹ Alexander, *Perspective on a Resort Community*, 8, 10-11, 13; Lindau, *The 1st Hundred Years*, 10-12.

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about 1890 included the shed depot, a hotel, a general store, municipal offices, and a small number of homes and rental cottages.¹⁰

During the last decades of the nineteenth century, Southern Pines built a reputation as an ideal location for those suffering from tuberculosis, known as consumptives, and the town grew accordingly. As a health resort, the town soon attracted a large number of doctors and other health professionals who opened local offices. Boarding houses offered rented rooms to seasonal residents and sometimes also included medical care. By the late 1890s, the region's mild climate also attracted northerners seeking winter sports accommodations, with new hotels opening to serve these visitors while excluding ill guests.¹¹ By 1900, Southern Pines included just over five hundred residents. New grocery stores, general stores, millineries, liveries, and pharmacies opened in downtown Southern Pines, and a new train depot was built c.1899-1900.

The success of the nearby Pinehurst resort community (NR1973, NHL1996) may have also contributed to the development of Southern Pines as a resort town. In 1895, Boston native James Walker Tufts purchased 5,800 acres of land in the Sandhills region in order to develop a health resort. He hired landscape architect Frederick Law Olmsted to design the resort and Donald Ross to develop golf courses. The resort remained under Tufts' private control until 1920, then under various owners until the Village of Pinehurst was incorporated in 1980. The resort includes two golf courses, tennis courts, equestrian facilities, hotels, cottages, stores, and churches.¹² As explained in the National Historic Landmark nomination, "Here the captains of American commerce, finance, and industry, their families and their friends, sought active recreational pleasures at a winter resort which became the model for a subsequent generation of like resorts in the twentieth century."¹³

The Development of West Southern Pines

A small number of African Americans settled in Southern Pines in the late nineteenth century, nearly all of whom relocated to the area from nearby counties looking for better job opportunities. Men primarily worked as laborers in the timber industry producing turpentine, tar, and pitch or as sawmill laborers, many boarding in Black households. Others worked as coopers, teamsters, farmers, or other manual labor jobs. Women primarily worked as housekeepers or nannies.¹⁴

By the turn of the twentieth century, the timber industries in the county were going into decline while health resorts and winter recreation took timber's place as the basis of the Southern Pines economy.¹⁵ Like the White northerners patronizing sanitariums and hotels in downtown Southern Pines, African Americans also came to Southern Pines to take advantage of the reputed health benefits of the region. In

¹⁰ Alexander, *Perspective on a Resort Community*, 14-16; Lindau, *The 1st Hundred Years*, 12.

¹¹ Alexander, *Perspective on a Resort Community*, 20-25, 28.

¹² Village of Pinehurst, "125th Anniversary of Pinehurst: Our History," <https://www.vopnc.org/our-community/living-in-pinehurst/125th-anniversary-of-pinehurst>; Davyd Foard Hood and Laura A.W. Phillips, "Pinehurst Historic District," National Historic Landmark Nomination, 1996, 70, https://npgallery.nps.gov/NRHP/GetAsset/NHLS/73001361_text; Alexander, *Perspective on a Resort Community*, 26; Lindau, *The 1st Hundred Years*, 10-12.

¹³ Hood and Phillips, "Pinehurst Historic District."

¹⁴ U.S. Census Bureau, *1880 United States Federal Census*, U.S. Federal Census Collection, Ancestry.com; Oral history interview with Reverend Thomas Flowers (resident), March 11, 1982, in Nancy Mason, *Oral History of West Southern Pines, North Carolina* (Town of Southern Pines, 1987).

¹⁵ Alexander, *Perspective on a Resort Community*, 32.

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1897, Dr. Lawson A. Scruggs, an African American physician who was in Shaw University Medical College's first graduating class and the first African American to pass the North Carolina medical exam, opened a sanitarium on West New York Avenue. Named for Charles Pickford, who funded Dr. Scruggs' education, the Pickford Sanitarium may have been the first in the South to treat African American tuberculosis patients. The sanitarium fell into financial difficulty, however, and in 1912 Dr. Lawson A. Scruggs sold the property with the stipulation that it be used to benefit African Americans' health or education. It operated as a school for African American students until the 1970s, attracting patrons from the North, including New York, Chicago, and other cities, in addition to local students.¹⁶

With the growth of resort amenities in both Southern Pines and Pinehurst in the early decades of the 1900s, commerce in downtown Southern Pines also increased during this time. Growth of the downtown commercial core included expansion of existing hotels, general stores, and specialty shops catering to resort patrons; establishment of a telephone exchange, bank, and newspaper; and new entertainment venues including theaters, a bowling alley, and casinos.¹⁷ This resulted in dramatic growth during the 1920s in particular, during which time the populations of both Southern Pines and West Southern Pines increased by threefold.

During these years, African Americans found employment primarily in the service industries and in construction. A large number of men worked as caddies at the various country clubs and golf courses, or as carpenters, brick masons, builders, painters, and plasterers. Others worked at hotels and resorts as cooks and dish washers, chauffeurs, and hostlers, or as laborers in the downtown businesses, including janitors and delivery drivers. Women also worked in the hotels and resorts, taking jobs as cooks, waitresses, laundresses, and housekeepers. It was also common for African American women to board in White households where they worked as cooks, nannies, maids, laundresses.¹⁸ Fruit orchards were another important part of the regional economy in the early twentieth century, especially peaches, blackberries, and dewberries, and many African Americans worked as fruit pickers.¹⁹

As more African Americans were drawn to Southern Pines for work, an African American community formed northwest of Southern Pines' central commercial district and White neighborhoods. This Black enclave, made up of simple cottages and boarding houses, was physically separated from the White areas of town by McDeeds Creek and its ravine.²⁰ The community was first known as Jim Town, a name believed to be in honor of James Henderson, who in 1887 opened the Henderson Institute, a school for

¹⁶ Opal Winchester Hawkins, *Pickford Sanitarium and R.C. Lawson Institute: Two Former Institutions of Southern Pines, North Carolina*, 2008, via "Sanitarium to School: What's Behind This Old Sign in West Southern Pines," *The Sway: The Insider's Guide to The Pines*, July 13, 2020, <https://itsthesway.com/from-sanitarium-to-school-behind-this-brick-archway-in-west-southern-pines>; Alexander, *Perspective on a Resort Community*, 28.

¹⁷ Alexander, *Perspective on a Resort Community*, 33, 39-40.

¹⁸ U.S. Census Bureau, *1900 United States Federal Census*, U.S. Federal Census Collection, Ancestry.com; U.S. Census Bureau, *1920 United States Federal Census*, U.S. Federal Census Collection, Ancestry.com; Alexander, *Perspective on a Resort Community*, 41; Mason, *Oral History of West Southern Pines*; Personal Communication with Leadership of Trinity AME Zion Church by Cheri Szcodronski, Heather Slane, and Rachel Mann, September 9, 2023, at Trinity AME Zion Church, Southern Pines, North Carolina.

¹⁹ Alexander, *Perspective on a Resort Community*, 32; Mason, *Oral History of West Southern Pines*.

²⁰ Note: This physical separation was further entrenched with the construction of US Highway 1 in 1955, which parallels the creek and ravine, leaving Pennsylvania Avenue the only road connecting downtown Southern Pines to West Southern Pines. Alexander, *Perspective on a Resort Community*, 27; U.S. Census Bureau, *1900 United States Federal Census*, U.S. Federal Census Collection, Ancestry.com; Oral history interview with Reverend Thomas Flowers; Lindau, *The 1st Hundred Years*, 56.

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Black children in Vance County, and owned property in West Southern Pines. However, the name was soon changed to West Southern Pines.²¹

Black Ethnic Heritage, Social History/Civil Rights, and Politics Contexts

The primary church for African Americans in West Southern Pines has historically been Trinity AME Zion Church. Sometimes known as “The Freedom Church,” the African Methodist Episcopal Zion denomination has its beginnings in the struggle for racial equality, a foundational theme that has anchored the Church since its establishment. The congregation of the John Street Methodist Church in New York City split along racial lines in 1796 when Black members left the church due to a lack of support by White members on issues of racial equality, including the abolition of slavery and the ordination of Black ministers.²² AME Zion missionaries travelled throughout the South during the Reconstruction era to establish new churches in communities of formerly enslaved African Americans, forming an important bridge between enslavement and freedom.²³ As Trinity Church pastor Dr. Paul Murphy notes, the missionaries worked “to provide encouragement, protection, and an inner sense of identity for those who had been enslaved.”²⁴ Missionaries established churches in New Bern and Wilmington, then turned inland toward Concord, passing through the Sandhills region on their journey westward.²⁵

Trinity AME Zion Church was founded in the late nineteenth century when a group of Methodists from West Southern Pines left the Methodist Church in Manly, a once independent community now part of northeast Southern Pines. Initially meeting in congregants’ homes, they purchased the current property in 1899 and constructed a frame church building, which was replaced by the current brick building in 1923.²⁶ Known as “The Friendly Church on the Hill,” Trinity Church sits in a prominent location at the top of the hill on West Pennsylvania Avenue, now the only road crossing McDeeds Creek and US Highway 1 into West Southern Pines.²⁷

Trinity Church served its members and the residents of West Southern Pines as a center of community life, a guide in political and social issues, and an example of Black independence and agency. As historian Carroll Van West wrote in 1999, “For over 100 years, scholars of African-American culture, history, and religion – along with writers and commentators over the decades in between – have consistently pointed to the church as the single most significant institution in African-American life.”²⁸ West points to

²¹ Oral history interview with Reverend Thomas Flowers.

²² Carroll Van West, “Historic Rural African-American Churches in Tennessee, 1850-1970,” National Register of Historic Places Multiple Property Documentation Form, 1999, Section E, 7-8; Reverend Dr. Paul Murphy, “Civil Rights and Trinity African Methodist Episcopal Zion (AMEZ) Church,” Trinity AME Zion Church Collection.

²³ West, “Historic Rural African-American Churches,” Section E, 7-8; Murphy, “Civil Rights and Trinity African Methodist Episcopal Zion (AMEZ) Church”; William E. Montgomery, *Under Their Own Vine and Fig Tree: The African-American Church in the South, 1865-1900* (Baton Rouge, LA: Louisiana State University Press, 1993), 142-190.

²⁴ Murphy, “Civil Rights and Trinity African Methodist Episcopal Zion (AMEZ) Church.”

²⁵ Murphy, “Civil Rights and Trinity African Methodist Episcopal Zion (AMEZ) Church.”

²⁶ Mason, *Oral History of West Southern Pines*; Sanborn Map Company, “Southern Pines, Moore County, North Carolina,” April 1915, Historical Information Gatherers Database, via University of Michigan; Murphy, “Civil Rights and Trinity African Methodist Episcopal Zion (AMEZ) Church,” Trinity AME Zion Church, File MR1321, North Carolina State Historic Preservation Office, Raleigh; Moore County Register of Deeds, Book 173, Page 194, Carthage, North Carolina.

²⁷ Personal Communication with Leadership of Trinity AME Zion Church.

²⁸ West, “Historic Rural African-American Churches,” Section E, 2.

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Historian Harry V. Richardson, who noted in 1947 that “the Negro [*sic*] church... has had more influence in molding the thought and life the Negro [*sic*] people than any other single agency.”²⁹ West also underscores historian Leon Litwack’s 1998 observation that the Black church was “viewed by many members as an extension of the family [and] the church served as a school, lecture hall, a social and recreation center, a meeting place for an assortment of groups, and a source of information.”³⁰ This was certainly true of Trinity AME Zion Church.

Community Life and Social Uplift

Trinity Church served as the center of community life in West Southern Pines. Church member Peggie Caple explains growing up in the church, “Sunday School and church was just a part of our lives... It was a family. You were connected to these people, and they felt connected to you. And they wanted to help you.” Parents, teachers, church members, and neighbors all worked together to raise the children. “This community was a village,” Caple recalls. “A village that cared about children.” Church member Mary Morrison recalls, “That was our social life. If you didn’t go to church and school, what else would you do? ...you didn’t see anybody else but your family. So you went to church. You were in Sunday School, you were an usher, you were in the choir, you did everything.”³¹

In addition to Sunday services, the church provided a variety of social activities that, due largely to segregation, served as the social center of community life. Women’s Day and Men’s Day celebrated church members with speakers and a meal, raising money to support the church. Homecoming celebrations invited back those who had grown up in the church and moved away from West Southern Pines or had otherwise grown away from the church. Children recited Bible verses in Sunday School oratorical contests, sang in the children’s choir, and performed in Christmas pageants. Children also attended Vacation Bible School, which was typically staggered throughout the summer among the churches in West Southern Pines so children could attend at multiple churches. Trinity Church partnered with other congregations to host joint services as well, especially Watch Night services on New Years Eve and religious revival celebrations.³²

Black Political Leadership and Empowerment

The discriminatory practices of the Jim Crow era continued into the mid-twentieth century in Southern Pines, as with much of the South, but in some cases, an unintended result of these practices was increased empowerment among African Americans. Trinity Church fostered this empowerment and became the social and spiritual home for those who challenged the status quo of the Jim Crow South.

Trinity Church supported the incorporation of the Town of West Southern Pines in 1923, the same year the church building was completed. West Southern Pines initially lay outside the Southern Pines town boundaries, and therefore did not benefit from town services. The community had poorly maintained dirt roads, no street lighting, and lacked water and sewer services. The neighborhood also had no police protection, with residents forced to call the county sheriff from Carthage in the event of emergency, as the Southern Pines police, though much closer, refused to respond.³³ “There were nothing but colored [*sic*] here,” resident Reverend Thomas Flowers recalled. “The colored [*sic*] were cut off over here, and they wanted a town.”³⁴

²⁹ West, “Historic Rural African-American Churches,” Section E, 2.

³⁰ West, “Historic Rural African-American Churches,” Section E, 2.

³¹ Personal Communication with Leadership of Trinity AME Zion Church, September 9, 2023.

³² Personal Communication with Leadership of Trinity AME Zion Church, September 9, 2023.

³³ Mason, *Oral History of West Southern Pines*.

³⁴ Oral history interview with Reverend Thomas Flowers.

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Local residents sought a charter for the town with the encouragement of Lawrence Augustus Oxley, known simply as Lt. Oxley in reference to his World War I service. In the 1920s, Oxley worked in the state welfare office and was appointed director of the North Carolina Division of Negro Welfare, the first of its kind in the country. In 1934, he was appointed to the United States Department of Labor as part of President Franklin D. Roosevelt's "Black Cabinet."³⁵ Oxley had heard about an all-Black town incorporated in Mississippi and believed West Southern Pines was a good candidate to pursue the same status.³⁶

Trinity AME Zion Church was heavily involved in the establishment of the new town. The first mayor of West Southern Pines, elected in 1927, was Trinity's pastor, Reverend J. Pleasant Hines, and he and the council were sworn in at Trinity Church that year.³⁷ "He was a straight-forward man," recalled Reverend Flowers, "somewhat rigid and he believed in the moral law, doing what's right. He was a good man."³⁸ In addition, the church continued to serve as the primary gathering space for community meetings.³⁹

Though Southern Pines and West Southern Pines experienced a boom period in the 1920s as new hotels, businesses, and homes were built, the new leaders of West Southern Pines struggled to collect enough taxes to fund its government. In 1931, the charter was revoked, and West Southern Pines was annexed into Southern Pines. This effort was led by White Southern Pines leaders, who, ironically, expressed concerns about crime in West Southern Pines threatening the safety of Southern Pines residents. White leaders also expressed concern that West Southern Pines did not have the financial stability to govern itself. This perception was exacerbated because while West Southern Pines leaders were engaged in attempts to collect overdue property taxes, Southern Pines was making substantial improvements with street lighting and paving, construction of a new water works facility, and improved electric and telephone services.⁴⁰

Members of Trinity Church "stood with... the West Southern Pines community to protest this assault against this community's economic infrastructure."⁴¹ A lawsuit was filed by the leaders of West Southern Pines who hired Durham attorney Andrew McCoy to help them oppose the annexation. The hearing was originally scheduled to be heard in Carthage, the Moore County seat, but McCoy successfully petitioned to have it moved to Wadesboro in nearby Anson County. The courts ultimately ruled against West Southern Pines, however, and during the appeal process, McCoy unexpectedly passed away. Following his death, the lawsuit did not continue, and the annexation was finalized. In spite of the litigation, many residents were indifferent the revocation of the charter as they felt it had little impact on their day-to-day lives.⁴²

Many leaders of Trinity Church served not only within the church itself, but as leaders in the community as well. Talbert Morse, the first Black resident to serve on the Town Council, elected in 1955, and Felton

³⁵ John L. Bell, Jr., "Oxley, Lawrence Augustus," *NCpedia*, <https://www.ncpedia.org/biography/oxley-lawrence-augustus>.

³⁶ Mason, *Oral History of West Southern Pines*.

³⁷ Murphy, "Civil Rights and Trinity African Methodist Episcopal Zion (AMEZ) Church"; Trinity AME Zion Church, File MR1321.

³⁸ Oral history interview with Reverend Thomas Flowers.

³⁹ Murphy, "Civil Rights and Trinity African Methodist Episcopal Zion (AMEZ) Church."

⁴⁰ Alexander, *Perspective on a Resort Community*, 51; Mason, *Oral History of West Southern Pines*.

⁴¹ Murphy, "Civil Rights and Trinity African Methodist Episcopal Zion (AMEZ) Church."

⁴² Mason, *Oral History of West Southern Pines*.

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J. Capel, who was elected to the council in 1959 and continued political service as City Treasurer and Mayor Pro Tem.⁴³ Albert Lutz, owner of Lutz Cleaners in the Amos Broadway Building at 1071 West New York Avenue (extant), as well as a trustee and choir president at Trinity Church, was elected to the Southern Pines Board of Education in 1964.⁴⁴ Emmanuel “Jug” Douglass was elected the first Black mayor of Southern Pines in 1977, and the former Our Lady of Victory Catholic School has been renamed the Douglass Community Center in his honor.⁴⁵ Members of the church also formed community organizations to address issues of discrimination and equality and provide social welfare services. The Civic Club was formed in 1943 as a social welfare group, which, according to Kim Wade, a lifelong resident of West Southern Pines and member of Trinity Church, became “very instrumental in making sure we had Black representation.”⁴⁶ Morse, Capel, and Douglass were among those who served terms as president of this group. In the 1960s, the biracial Good Neighbor Council was formed by Trinity Church’s Reverend Mark Peake and Cicero Carpenter with the goal of working toward desegregation in Southern Pines, including planning protests at the Sunrise Theater and a local drug store.⁴⁷ Wade summarizes simply that “the members of the church were the most prominent individuals in the community who made all the decisions about it.”⁴⁸

This spirit of empowerment and resistance was also passed to the children in the church. Peggie Caple recalls that African American patrons were relegated to the balcony at the theater in downtown Southern Pines, where no concessions were offered. African American patrons were not permitted on the main floor, even to purchase concessions. Even though just a child at the time, Caple approached the manager for permission to set up a small concession stand in the balcony, and he allowed her to sell popcorn, soft drinks, and candy to Black theater-goers.⁴⁹ Older children in the church participated in more direct activism as the Civil Rights Movement expanded to Southern Pines in the 1960s. Kim Wade recalls participating in a protest march in the early 1970s after a newly hired high school principal implemented policies reminiscent of separate-but-equal statutes, reversing integration achieved previous years. Meetings to plan the march took place at Trinity Church, and church leaders served as advisors to the students who participated.⁵⁰

Today Trinity Church remains a visual focal point and social center of the African American community in West Southern Pines. The church continues to take an active role in Civil Rights issues and partners with other local churches, Black and White, to host joint worship and pulpit exchanges. They also work together to provide services to the community, including food pantry programs, after-school programming, internet access, support for local service organizations, and assistance for people experiencing homelessness. The church also provides a gathering place for community organizations, including the local branch of the National Association for the Advancement of Colored People, local sports teams, and charter schools.⁵¹

⁴³ Personal Communication with Kim Wade (lifelong resident and local historian) by Cheri Szcodronski and Heather Slane, October 20, 2024, Southern Pines, North Carolina; “Capel Honored for Service at Civic’s [sic] Club Program,” *The [Southern Pines] Pilot*, July 9, 1969.

⁴⁴ “Albert Lutz Appointed to School Board Here,” *The [Southern Pines] Pilot*, December 10, 1964, Newspapers.com.

⁴⁵ Personal Communication with Kim Wade.

⁴⁶ Personal Communication with Kim Wade.

⁴⁷ Personal Communication with Kim Wade.

⁴⁸ Personal Communication with Kim Wade.

⁴⁹ Personal Communication with Leadership of Trinity AME Zion Church, September 9, 2023.

⁵⁰ Personal Communication with Kim Wade.

⁵¹ Murphy, “Civil Rights and Trinity African Methodist Episcopal Zion (AMEZ) Church.”

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Architecture Context

Trinity AME Zion Church is a highly intact, vernacular interpretation of the Gothic Revival-style and the best example of the style in West Southern Pines. The Gothic Revival style originated in England as part of the Picturesque movement, favoring Medieval stylistic elements over Classical detailing of the preceding Greek Revival, Federal, and Georgian styles. The style was popularized by pattern books, especially those of Alexander Jackson Davis, who is credited with building the first residential example of the style in the United States in 1832. The style is characterized by steeply pitched rooflines, often with pinnacles, finials, or brackets; pointed-arch windows and doors, often with hood molding; and sometimes with towers, buttresses, or window tracery. Built primarily from the 1830s through about 1880, the Gothic Revival style was especially popular in religious architecture, with examples continuing well into the twentieth century, these sometimes referred to as Late Gothic Revival.⁵²

Trinity Church is a vernacular interpretation of the early-twentieth-century Gothic Revival style and notably less ornate than contemporary Gothic Revival-style churches constructed by White congregations in Southern Pines. As a representation of the style, it features a steeply pitched gabled roof, brick buttresses separating the bays, and pointed-arch stained-glass windows throughout. The paired, square entrance towers, a common feature of historically African American churches, are also typical of the Gothic Revival style, regardless of the cultural makeup of the congregation. The absence of stone detailing and trim, crenellation at the towers, window tracery, and other highly ornate detailing may be reflective of the social and economic context in which Trinity Church was constructed.

Two White churches in the Southern Pines Historic District (NR 1991) were constructed in the Gothic Revival style, both post-dating the construction of Trinity AME Zion but illustrating the continued popularity of the Gothic Revival style through the 1920s. Designed by the Wilson, North Carolina, architectural firm of Benson and Benson for White congregations, both churches are highly detailed, academic examples of the Gothic Revival style.⁵³ Emmanuel Episcopal Church (350 E. Massachusetts Avenue) was completed in 1926 and features a front-gabled, granite building with parapeted gables topped by limestone trim. Limestone is also present at the pointed-arch door surround, forms the window surrounds, and tops the stone buttresses. A bell tower was added to the structure in 1940. The Church of Wide Fellowship (141 N. Bennett Street), constructed in 1927, features a broad, side-gabled form with flanking one-story, shed-roofed side wings and a prominent, four-story, crenelated tower at the southwest corner of the building. The blond brick building features limestone accents including pointed-arch door surrounds, window sills, tracery at the pointed-arch, stained-glass windows, and limestone caps on the brick buttresses and parapets.

The only other church in the African American community of West Southern Pines that incorporated elements of the Gothic Revival style in its design is the First Missionary Baptist Church (315 South Gaines Street). Completed in 1945, the building is a late example of the style, though it features the characteristic pointed-arch windows, brick buttresses separating the bays, and a crenelated square entrance tower. The form itself is wider than earlier Gothic Revival-style churches, resulting in a more squat form than the vertically oriented Gothic Revival-style churches of the nineteenth and early twentieth centuries.

⁵² Cyril M. Harris, *American Architecture: An Illustrated Encyclopedia* (New York, NY: W.W. Norton & Company, 1998), 155-157; Catherine W. Bishir and Michael T. Southern, *A Guide to the Historic Architecture of Piedmont North Carolina* (Chapel Hill, NC: University of North Carolina Press, 2003), 537-538.

⁵³ David R. Black, "Southern Pines Historic District," Nomination to the National Register of Historic Places, 1991, Section 7 Page 6.

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While the 1915 Sanborn map shows a number of early churches in the community, by the early 1920s, a number of them had been demolished.⁵⁴ A Free Will Baptist Church was located on West Pennsylvania Avenue, a block east of Trinity Church, but the church was closed and demolished by 1924. The Church of God & Saints of Christ Tabernacle was first located in West Southern Pines at the corner of West Massachusetts Avenue and South Henley Street. The church was demolished by 1924 to make way for the Industrial Union Institute on West Massachusetts Avenue (no longer extant), and a new building was later built outside of West Southern Pines. As a result, Trinity Church is the most intact, continuously occupied, historically Black church building in West Southern Pines.

Other churches were constructed in the 1920s, contemporary with Trinity Church, but have since either been replaced by mid-twentieth-century buildings or the historic form and materials have been substantially altered. The First Missionary Baptist Church at 315 South Gaines Street was completed in 1945, replacing the original church. In 1920, the Silver Run Free Will Baptist congregation relocated from near Fayetteville and built Harrington Chapel at 164 South Carlisle Street. Though the building remains in use, the historic form and materials were altered during a 1996 renovation. Emmanuel Presbyterian Church was established in 1928 at 1000 West New Hampshire Avenue and remains extant. However, the historic form and materials have been altered and the church is currently vacant. St. James Lutheran Church is located at 983 West New Hampshire Avenue, kitty-corner to the Presbyterian Church. The building, which replaced the original church, was built in the mid-twentieth century. The Holiness Church was formed around 1921 and built a church at 450 South Stephens Street. The historic form and materials have been altered and the church is currently vacant.

⁵⁴ Mason, *Oral History of West Southern Pines*; 1915 Sanborn Map; Sanborn Map Company, "Southern Pines, Moore County, North Carolina," October 1924, Historical Information Gatherers Database, via University of Michigan.

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Personal Communication with Leadership of Trinity AME Zion Church (Peggie Caple, Reverend Deborah Gray, Vivan Kelly, Mary Morrison, Rufus Morrison, Dr. Paul Murphy, Sharon Murphy, and Sadie Small) by Cheri Szcodronski, Heather Slane, and Rachel Mann. September 9, 2023. At Trinity AME Zion Church, Southern Pines, North Carolina.

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Previous documentation on file (NPS):

☐ preliminary determination of individual listing (36 CFR 67) has been requested
☐ previously listed in the National Register
☐ previously determined eligible by the National Register
☐ designated a National Historic Landmark
☐ recorded by Historic American Buildings Survey # _____
☐ recorded by Historic American Engineering Record # _____
☐ recorded by Historic American Landscape Survey # _____

Primary location of additional data:

☒ State Historic Preservation Office
☐ Other State agency
☐ Federal agency
☐ Local government
☐ University
☐ Other
Name of repository: _____

Historic Resources Survey Number (if assigned): MR1321

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10. Geographical Data

Acres of Property approx. 0.31 acres

Use either the UTM system or latitude/longitude coordinates

Latitude/Longitude Coordinates

Datum if other than WGS84: _____

(enter coordinates to 6 decimal places)

1. Latitude: -79.400667

Longitude: 35.183033

Verbal Boundary Description (Describe the boundaries of the property.)

The National Register boundary is shown by a black line on the accompanying map, drawn at a 1"=200' scale and aligning with the boundary of tax parcels (#858217012757 and #858217012772).

Boundary Justification (Explain why the boundaries were selected.)

The nominated boundary contains the parcel purchased by the congregation in 1899 as well as an adjacent parcel to the southeast, purchased in 1925 shortly after the completion of the church. Adjacent land to the northwest and the south was acquired by the church after the period of significance and is not included within the boundary.

11. Form Prepared By

name/title: Heather M. Slane and Cheri Szcodronski
organization: hmvPreservation
street & number: P. O. Box 355
city or town: Durham state: NC zip code: 27702
e-mail: heather@hmvpreservation.com
telephone: 336.207.1502
date: March 15, 2025

Additional Documentation

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Submit the following items with the completed form:

- **Maps:** A USGS map or equivalent (7.5 or 15 minute series) indicating the property's location.
- **Sketch map** for historic districts and properties having large acreage or numerous resources. Key all photographs to this map.
- **Additional items:** (Check with the SHPO, TPO, or FPO for any additional items.)

Photographs

Submit clear and descriptive photographs. The size of each image must be 1600x1200 pixels (minimum), 3000x2000 preferred, at 300 ppi (pixels per inch) or larger. Key all photographs to the sketch map. Each photograph must be numbered and that number must correspond to the photograph number on the photo log. For simplicity, the name of the photographer, photo date, etc. may be listed once on the photograph log and doesn't need to be labeled on every photograph.

Photo Log

Name of Property: Trinity AME Zion Church

City or Vicinity: Southern Pines

County: Moore County

State: North Carolina

Photographer: Cheri Szcodronski

Date Photographed: September 2023

Description of Photograph(s) and number, include description of view indicating direction of camera:

1 of 12

Exterior, northeast and northwest elevations

Facing south

2 of 12

Exterior, northeast elevation

Facing southwest

3 of 12

Exterior, southeast elevation

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Facing northwest

4 of 12

Exterior, southwest and southeast elevations

Facing north

5 of 12

Exterior, northwest and southwest elevations

Facing east

6 of 12

Interior, north entry tower

Facing south

7 of 12

Interior, north entry tower

Facing north

8 of 12

Interior, sanctuary

Facing south

9 of 12

Interior, sanctuary

Facing west

10 of 12

Interior, sanctuary

Facing east

11 of 12

Interior, basement level

Facing south

12 of 12

Interior, basement level

Facing west

Paperwork Reduction Act Statement: This information is being collected for nominations to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C.460 et seq.). We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

Estimated Burden Statement: Public reporting burden for each response using this form is estimated to be between the Tier 1 and Tier 4 levels with the estimate of the time for each tier as follows:

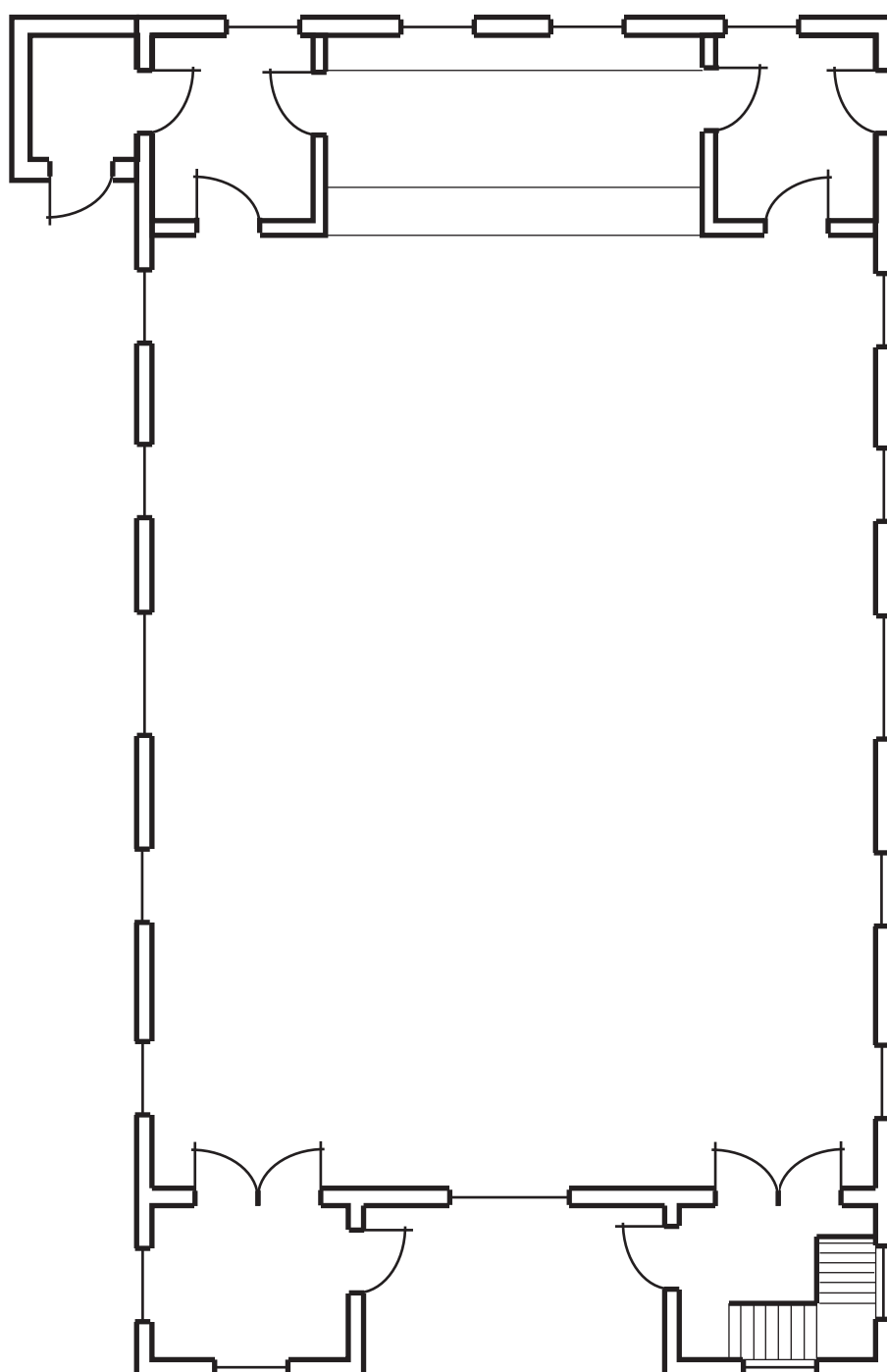
Tier 1 – 60-100 hours

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Tier 2 – 120 hours
Tier 3 – 230 hours
Tier 4 – 280 hours

The above estimates include time for reviewing instructions, gathering and maintaining data, and preparing and transmitting nominations. Send comments regarding these estimates or any other aspect of the requirement(s) to the Service Information Collection Clearance Officer, National Park Service, 1201 Oakridge Drive Fort Collins, CO 80525.



Trinity AME Zion Church

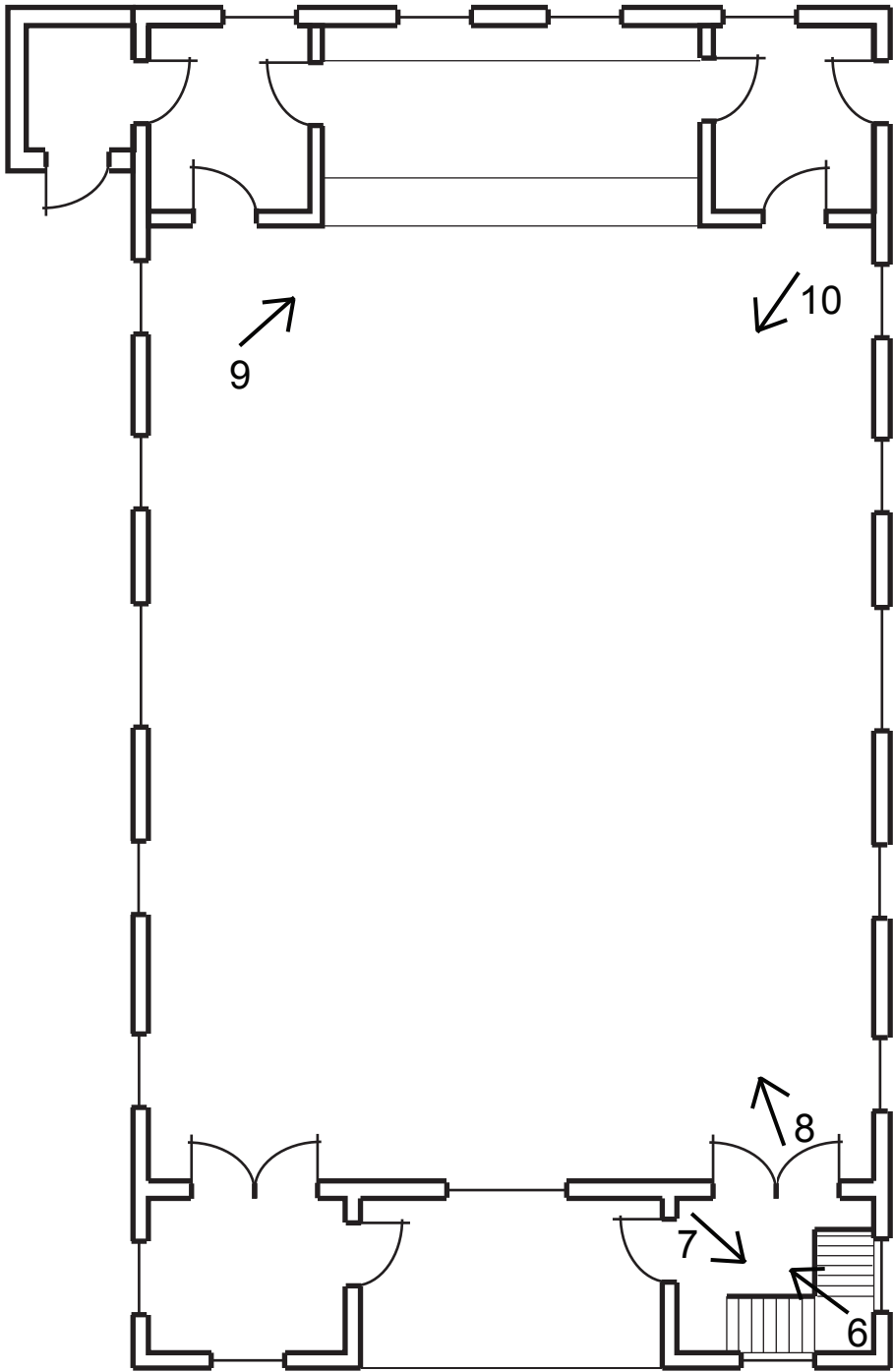
972 West Pennsylvania Avenue
Southern Pines, MooreCounty, NC

National Register Floor Plan

Prepared 4/1/2024 by hmwPreservation
Note: Basement level not shown

4 ↘

↙ 5



3 ↗

↑ 2

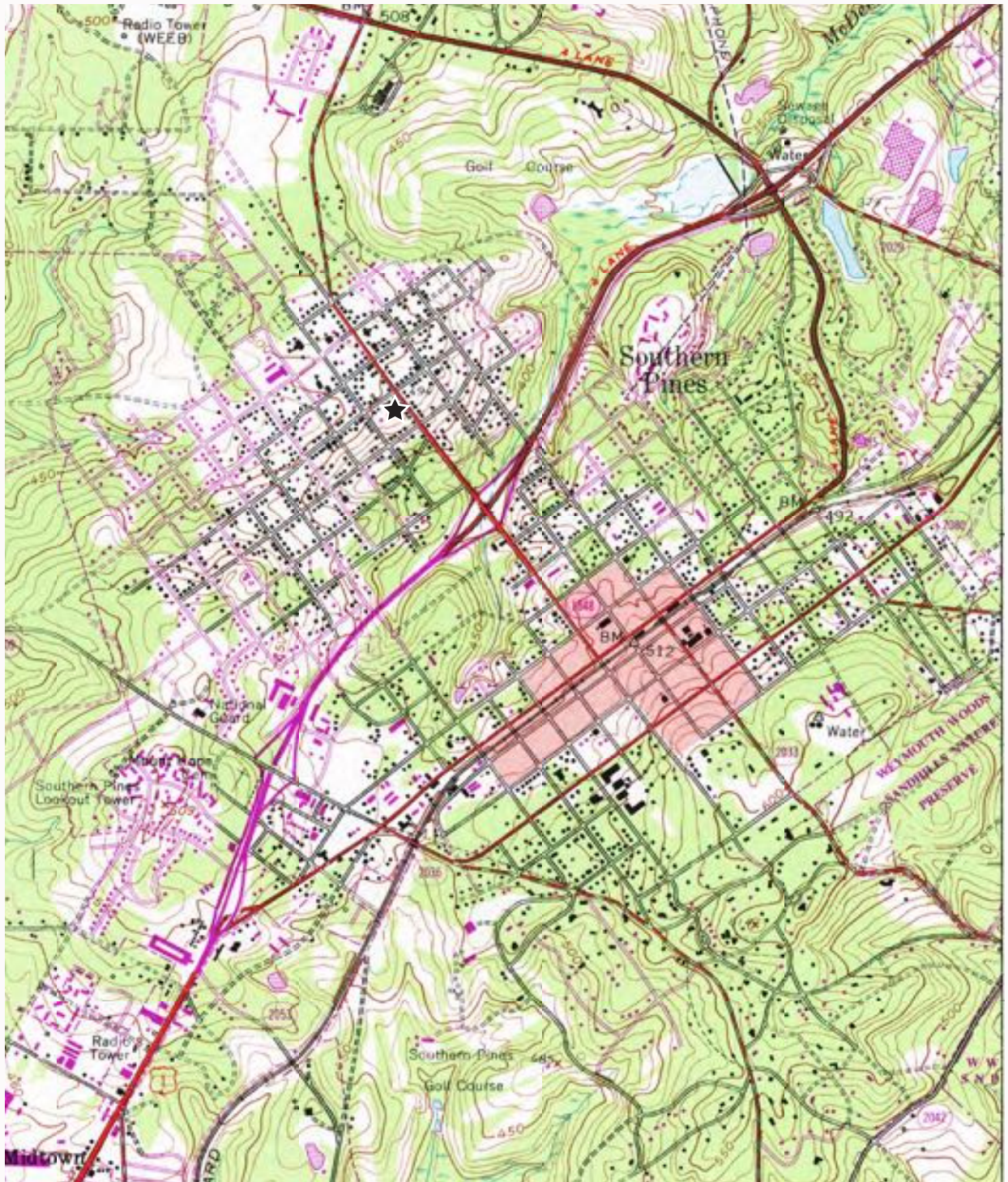
↖ 1

Trinity AME Zion Church
972 West Pennsylvania Avenue
Southern Pines, MooreCounty, NC

National Register Photo Key

← 1 National Register Photo Numbers

Prepared 4/1/2024 by hmwPreservation
Note: Basement level not shown



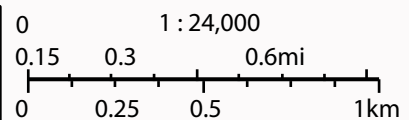
National Register of Historic Places Nomination

Trinity AME Zion Church

972 West Pennsylvania Avenue, Southern Pines
Moore County, North Carolina

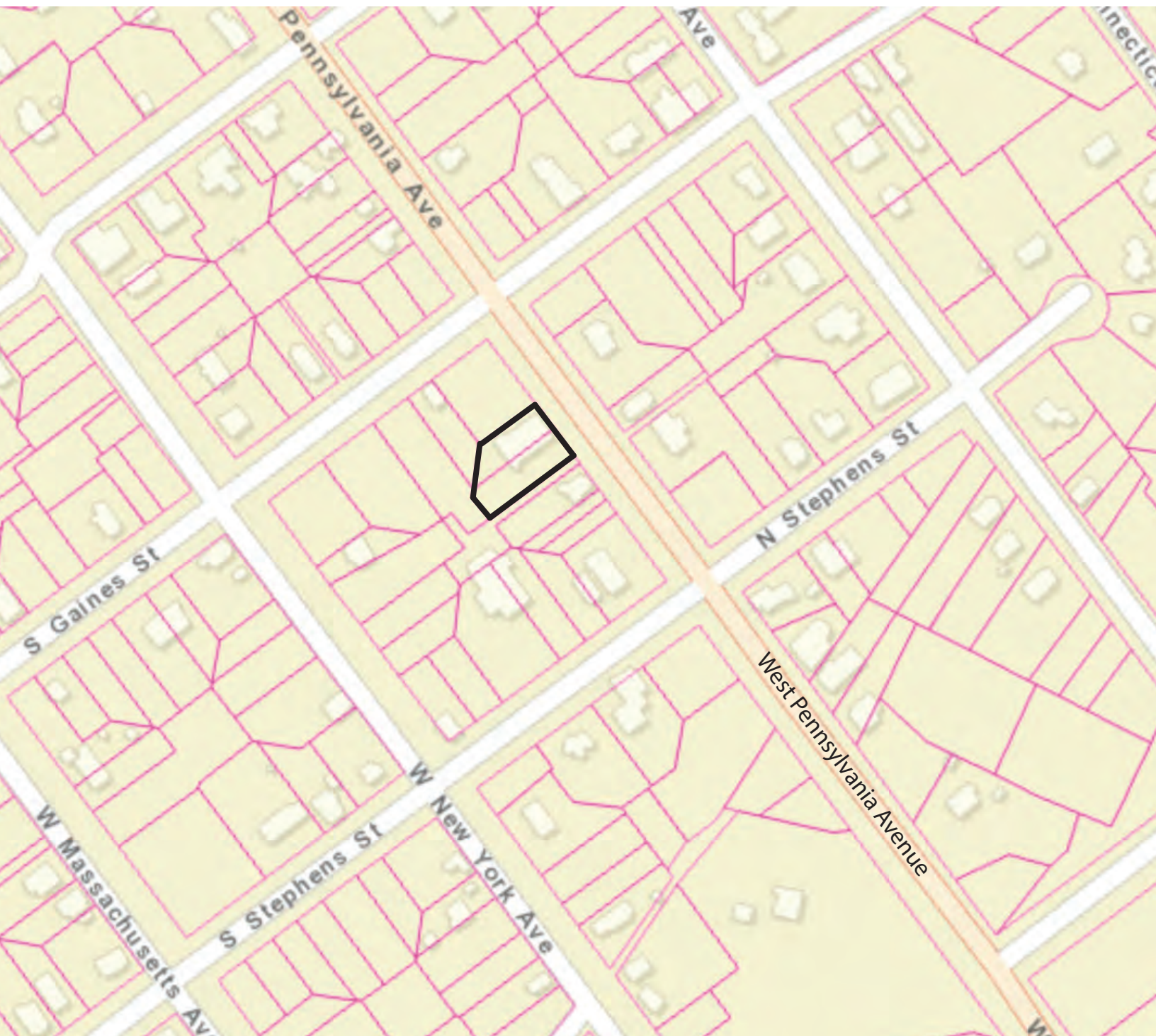
National Register Location Map

Prepared by hmwPreservation 2024 utilizing the Southern Pines 1957 USGS 7.5minute map



★ Location of NR Property





Trinity AME Zion Church
972 West Pennsylvania Avenue
Southern Pines, Moore County, NC

Map prepared 2024
by hmwPreservation
Image from North Carolina HPOweb

Tax Map with National Register Boundary
— National Register Boundary

Latitude: 35.183033

Longitude: -79.400667



Scale: 1" = 200'

























