



AGENDA

Tuesday, October 14, 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. Adoption of Agenda

4. PUBLIC COMMENTS

5. CONSENT AGENDA

a. Eastman Road Water tank T-Mobile Antenna Lease Amendment

T-Mobile currently leases space on the Town's water tank at 240 Eastman Road. They have requested to increase the number of antennas on the tank from six to nine, which requires a revision to the existing lease and to extend the lease by two additional five-year terms, beginning October 1, 2029, when the current lease ends.

b. Resolution #1131 authorizing the Town Manager to enter into an Installment Finance Agreement with First Bank not to exceed \$7M.

Resolution authorizing the Town Manager and Finance Director to proceed with paperwork finalizing a \$7M installment financing agreement for the purchase of 300 SW Broad Street. Terms will be for twenty years at 4.35% with no pre-payment penalties.

c. Approve Meeting Minutes

Staff has prepared the following meeting minutes for approval:

- September 9, 2025, Town Council Business Meeting
- September 23, 2025, Town Council Work Session Meeting

d. Resolution #1133: Adopting a Contract to Accept North Carolina Governor's Highway Safety Program Grant

Staff request that the Town Council consider the adoption of Resolution #1133 Adopting the Contract to Accept North Carolina Governor's Highway Safety Program Grant.

6. PUBLIC HEARINGS - LEGISLATIVE

a. Clark Street Townhomes Rezoning - File #Z-05-25

A rezoning request to develop 16 townhomes on about 1.5 acres on Clark Street.

7. PUBLIC HEARINGS - EVIDENTIARY

a. Clark Street Townhomes Subdivision Plat - File #MAPP-04-25

A preliminary plat request to subdivide about 1.5 acres into 16 townhome lots in accordance with the Clark Street Townhomes Rezoning.

b. Veteran's Guardian Preliminary Development Plan - File #PD-03-25

A Preliminary Development Plan (PDP) request to develop a 27,390 square foot office building on eight acres in the Southern Pines Corporate Park.

8. ACTION ITEMS

a. Resolution #1132 requesting an NCDOT intersection review

The Town requests that the North Carolina Department of Transportation (NCDOT) study the intersection of Fairway Drive and Central Drive (NC22) for potential improvements as a result of safety concerns brought about by multiple recent accidents at the intersection.

9. ADJOURNMENT

Meetings/work sessions of the Southern Pines Town Council are now available on the Town's Website at sopinesnc.info/agendas

Video of the Town Council meetings will be live-streamed on the website 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.



MEMO

To: Reagan Parsons, Town Manager
From: James Michel, PE Town Engineer/Assistant Public Works Director
Date: September 2, 2025
Re: Amendment to T-Mobiles Antenna Lease for the Eastman Road Watertank

T-Mobile currently leases space on the Town's water tank at 240 Eastman Road. They have requested to increase the number of antennas on the tank from six to nine, which requires a revision to the existing lease. As part of the amendment, T-Mobile has also asked to extend the lease by two additional five-year terms, beginning October 1, 2029, when the current lease ends. The amendment further includes a revised payment schedule for the added lease terms. The proposed payments are consistent with similar installations and include the standard 3% annual increase.

Under NCGS §160A-272, municipalities must follow a specific process when leasing property. The first step is a resolution announcing the intent to enter into the lease, followed by a 30-day public notice period. If the resolution on this agenda is approved, staff will publish the required notice in the *Pilot* newspaper by September 14, 2025. This would allow the Town Council to take formal action at its regular business meeting on October 14, 2025.

THIRD AMENDMENT TO TOWER OPTION AND LEASE AGREEMENT

THIS THIRD AMENDMENT TO TOWER OPTION AND LEASE AGREEMENT (“Amendment”) is made and entered into by and between The Town of Southern Pines, a Municipal Corporation (“Landlord”), and T-Mobile South LLC, a Delaware limited liability company (“Tenant”).

Recitals

The parties hereto recite, declare and agree as follows:

A. Landlord and Tenant (or as applicable, their respective predecessors in interest) entered into a Tower Option and Lease Agreement dated August 24th, 1999 as amended by the Amendment to Tower Option and Lease Agreement dated September 8th, 2009, as amended by the Second Amendment to Tower Option and Lease Agreement dated July 25th, 2019 the “Lease”, with respect to Premises located at 240 Eastman Road, Southern Pines, North Carolina 28387.

B. Landlord and Tenant desire to enter into this Amendment in order to modify and amend certain provisions of the Lease.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Landlord and Tenant covenant and agree as follows:

1. Effective as of the full execution of this Third Amendment, Tenant will have the right to modify its Antenna Facilities as described and depicted on Exhibit A-1 to mount up to nine (9) antennas on the Tower and at the heights reflected, which is attached hereto and by this reference incorporated herein, and Landlord hereby consents to and approves of the modifications described and depicted on Exhibit A-1 in all respects.

2. Effective as of October 1, 2029, the term of the Lease is hereby extended for a term of five (5) years. If neither party is in default beyond applicable notice and cure periods at the expiration of the term, then the Lease shall be automatically renewed for one (1) additional five (5) year term provided Tenant may elect not to renew by providing Landlord with written notice not less than 30 days prior to the expiration of the then current term. Effective as of October 1, 2029, the annual rental rates will increase per Exhibit A-2, attached hereto and incorporated herein by reference.

3. The parties’ notice addresses in the Lease are deleted in their entirety and replaced with the following:

If to Tenant:

T-Mobile USA, Inc.
Attn: Lease Compliance/Site #5FA0667A
12920 SE 38th Street
Bellevue, WA 98006

If to Landlord:

The Town of Southern Pines
125 SE Broad Street
Southern Pines, NC 28387

4. The terms and conditions of the Lease are incorporated herein by this reference, and capitalized terms used in this Amendment shall have the same meanings such terms are given in the Lease. Except as specifically set forth herein, this Amendment shall in no way modify, alter or amend the remaining terms of the Lease, all of which are ratified by the parties and shall remain in full force and effect. To the extent there is any conflict between the terms and conditions of the Lease and this Amendment, the terms and conditions of this Amendment will govern and control.

Site #5FA0667A
Site Name: PIN/Eastman Road
Market: North Carolina

5. Landlord represents and warrants to Tenant that the consent or approval of no third party, including, without limitation, a lender, is required with respect to the execution of this Amendment, or if any such third party consent or approval is required, Landlord has obtained any and all such consents or approvals.

6. This Amendment may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute a single instrument. Signed facsimile and electronic copies of this Amendment shall legally bind the parties to the same extent as original documents.

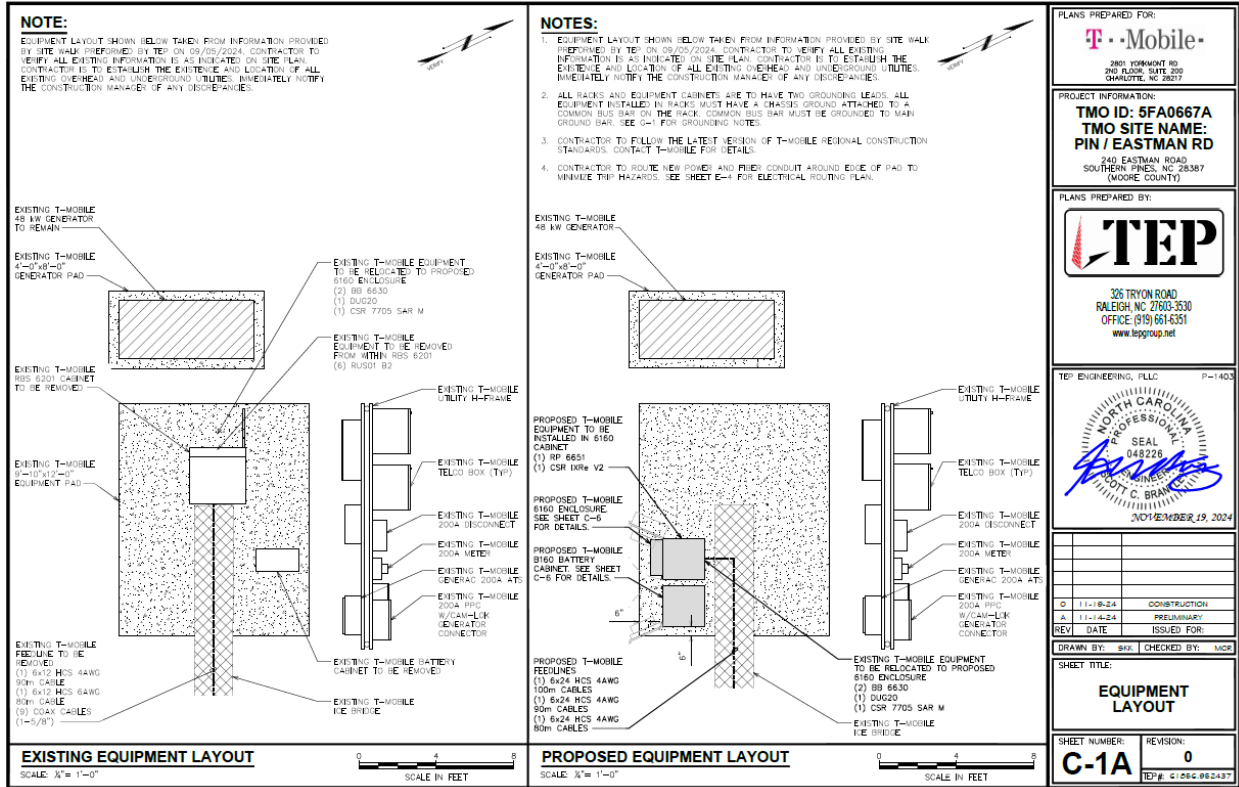
IN WITNESS WHEREOF, the parties have executed this Amendment effective as of the date of execution by the last party to sign.

The Town of Southern Pines
Name: _____
Title: _____
Date: _____

T-Mobile South LLC
Name: _____
Title: _____
Date: _____



Exhibit A-1



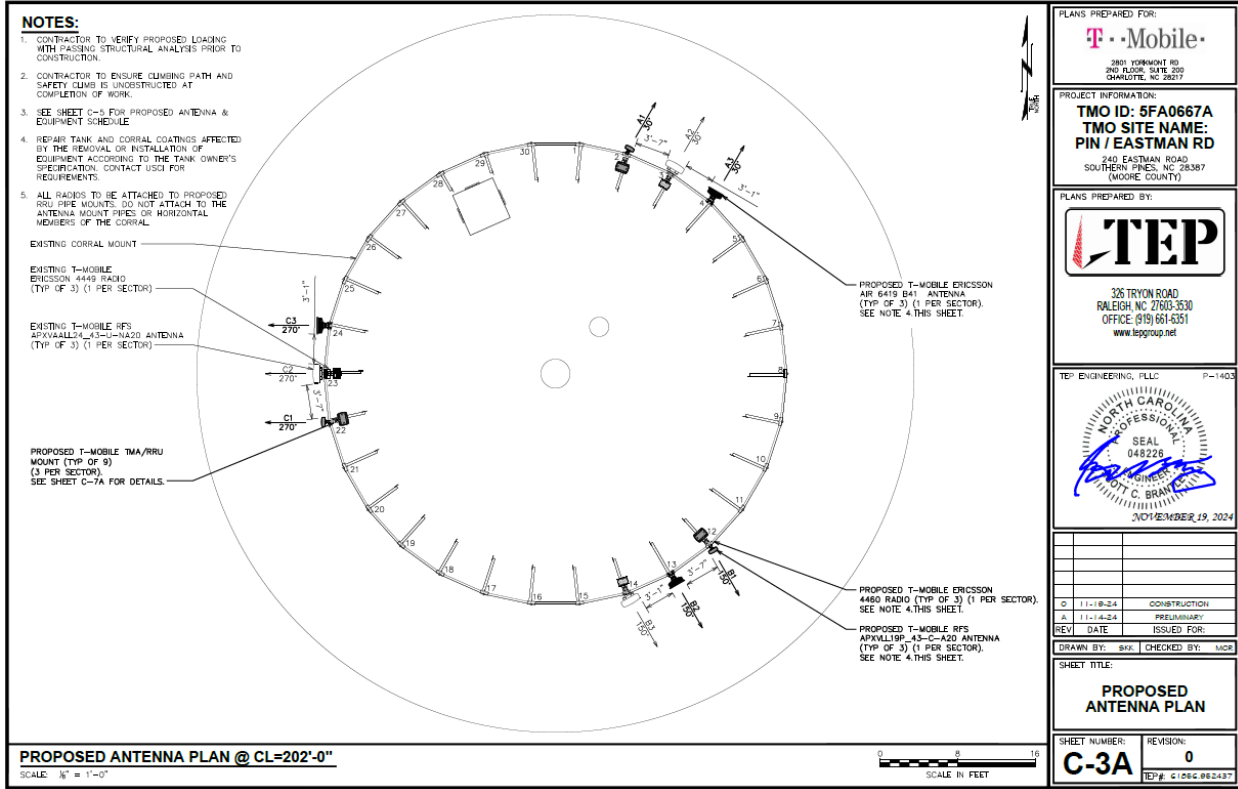
PLANS PREPARED FOR:
T-Mobile
 2801 YORKMONT RD.
 2ND FLOOR, SUITE 200
 CHARLOTTE, NC 28207

PROJECT INFORMATION:
TMO ID: 5FA0667A
TMO SITE NAME:
PIN / EASTMAN RD
 240 EASTMAN ROAD
 SOUTHERN PINES, NC 28387
 (MOORE COUNTY)

PLANS PREPARED BY:
TEP
 305 TRYON ROAD
 RALEIGH, NC 27603-3330
 OFFICE (919) 661-6351
 www.tepgroup.net

TEP ENGINEERING, PLLC P-1403
 NORTH CAROLINA PROFESSIONAL SEAL
 048226
 11/14/24
 ROBERT C. BRAN
 NOVEMBER 19, 2024

0	11-18-24	CONSTRUCTION
A	11-14-24	PRELIMINARY
REV	DATE	ISSUED FOR:
DRAWN BY:	SKK	CHECKED BY:
SHEET TITLE: EQUIPMENT LAYOUT		
SHEET NUMBER: C-1A	REVISION: 0	TEP# C106G-082437



PLANS PREPARED FOR:
T-Mobile
 2801 YORKMONT RD
 2ND FLOOR SUITE 200
 CHARLOTTE, NC 28217

PROJECT INFORMATION:
TMO ID: 5FA0667A
TMO SITE NAME:
PIN / EASTMAN RD
 240 EASTMAN ROAD
 SOUTHERN PINES, NC 28387
 (MOORE COUNTY)

PLANS PREPARED BY:
TEP
 326 TRYON ROAD
 RALEIGH, NC 27603-3530
 OFFICE: (919) 661-6351
 www.tepgroup.net

TEP ENGINEERING, PLLC P-1403

PROFESSIONAL SEAL
 048226
 ENGINEER
 T. C. BRAHNS
 NOVEMBER 19, 2024

DATE	ISSUED FOR:
11-19-24	CONSTRUCTION
11-14-24	PRELIMINARY

DRAWN BY: *SK* CHECKED BY: *MCR*

SHEET TITLE:
PROPOSED ANTENNA PLAN

SHEET NUMBER: **C-3A** REVISION: 0
 TEP# C106G 062487

NOTES:

- CONTRACTOR TO REFERENCE T-MOBILE ISSUED RFDS AND GIVE PRECEDENCE TO INFORMATION PROVIDED IN RFDS OVER INFORMATION PROVIDED IN THIS TABLE.
- VERIFY LOADING WITH PASSING STRUCTURAL ANALYSIS PRIOR TO CONSTRUCTION.
- IF STRUCTURAL ANALYSIS AND RFDS DO NOT MATCH CONTRACTOR IS TO CONTACT T-MOBILE IMMEDIATELY.

PROPOSED ANTENNA/CABLE SCHEDULE 67D5998E_1xAIR+1OP+1QP SITE CONFIGURATION									
PIPE POS. #	POS. #	SECTOR	MANUFACTURER (MODEL #)	MOUNTING HEIGHT	CABLE SIZE	AZIMUTH (TN)	CABLE LENGTH	EQUIPMENT (MODEL #)	
2	A1	ALPHA	RFS APXVLL19P_43-C-A20 (QUAD)	6 @ 202'-0"±	(3) 6x24 HCS 44WG	30°	80m 90m 100m	(1) ERICSSON RRU [RADIO 4449 8714885]	
3	A2	ALPHA	RFS APXVAARR24_43-C-A20 (OCTO)	6 @ 202'-0"±		30°		(1) ERICSSON RRU [RADIO 4460 825+866]	
4	A3	ALPHA	ERICSSON AIR 6419 B41 (ACTIVE ANTENNA - MASSIVE MIMO)	6 @ 202'-0"±		30°		(1) ERICSSON RRU [RADIO 4460 825+866]	
12	B1	BETA	RFS APXVLL19P_43-C-A20 (QUAD)	6 @ 202'-0"±		150°		(1) ERICSSON RRU [RADIO 4460 825+866]	
13	B2	BETA	ERICSSON AIR 6419 B41 (ACTIVE ANTENNA - MASSIVE MIMO)	6 @ 202'-0"±		150°		(1) ERICSSON RRU [RADIO 4449 8714885]	
14	B3	BETA	RFS APXVAARR24_43-C-A20 (OCTO)	6 @ 202'-0"±		150°		(1) ERICSSON RRU [RADIO 4449 8714885]	
22	C1	GAMMA	RFS APXVLL19P_43-C-A20 (QUAD)	6 @ 202'-0"±		270°		(1) ERICSSON RRU [RADIO 4449 8714885]	
23	C2	GAMMA	RFS APXVAARR24_43-C-A20 (OCTO)	6 @ 202'-0"±		270°		(1) ERICSSON RRU [RADIO 4460 825+866]	
24	C3	GAMMA	ERICSSON AIR 6419 B41 (ACTIVE ANTENNA - MASSIVE MIMO)	6 @ 202'-0"±	270°	(1) ERICSSON RRU [RADIO 4460 825+866]			

PROPOSED ANTENNA SCHEDULE

PLANS PREPARED FOR:
T-Mobile
 2801 YORKMONT RD
 2ND FLOOR SUITE 200
 CHARLOTTE, NC 28217

PROJECT INFORMATION:
TMO ID: 5FA0667A
TMO SITE NAME:
PIN / EASTMAN RD
 240 EASTMAN ROAD
 SOUTHERN PINES, NC 28387
 (MOORE COUNTY)

PLANS PREPARED BY:
TEP
 326 TRYON ROAD
 RALEIGH, NC 27603-3530
 OFFICE: (919) 661-6351
 www.tepgroup.net

TEP ENGINEERING, PLLC P-1403

PROFESSIONAL SEAL
 048226
 ENGINEER
 T. C. BRAHNS
 NOVEMBER 19, 2024

DATE	ISSUED FOR:
11-19-24	CONSTRUCTION
11-14-24	PRELIMINARY

DRAWN BY: *SK* CHECKED BY: *MCR*

SHEET TITLE:
PROPOSED ANTENNA SCHEDULE

SHEET NUMBER: **C-5** REVISION: 0
 TEP# C106G 062487

Site #5FA0667A
Site Name: PIN/Eastman Road
Market: North Carolina

Exhibit A-2

Rent will be paid annually with a 3% yearly increase as noted below:

Year 1	\$71,093.18
Year 2	\$73,225.97
Year 3	\$75,422.75
Year 4	\$77,685.43
Year 5	\$80,015.99
Year 6	\$82,416.48
Year 7	\$84,888.97
Year 8	\$87,435.64
Year 9	\$90,059.71
Year 10	\$92,760.47



RESOLUTION #1127
NOTICE OF INTENT TO ENTER INTO A LEASE WITH
T-MOBILE SOUTH, LLC FOR WATER TOWER LEASE FOR WIRELESS
COMMUNICATION EQUIPMENT

WHEREAS, the Town of Southern Pines owns the Eastman Road Tank (Tank) at 240 Eastman Road; and

WHEREAS, the Town has an existing lease agreement with Alltel Communication, LLC d/b/a Verizon Wireless which expires on October 1, 2029 for the purposes of installing wireless communication equipment on said water tank; and

WHEREAS, the Town supports the continued operation and improvement of wireless communication services.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines, North Carolina in regular session assembled this 9th day of September, 2025, that:

1. In accordance with North Carolina General Statutes §160A-272, the Town Council of Southern Pines announces its intent to amend the existing lease with T-Mobile South, LLC “the lessee,” and increase term an additional (5) years with an option to renew for 1 additional 5 year term.
2. The Town of Southern Pines will lease part of the Tank to the lessee for an annual amount of \$71,093.18 with a 3% annual increase as described in exhibit A-2.
3. The Town of Southern Pines does not have any intended needs for the portions of the Tank included in the lease.
4. The Town Council intends to act on this lease at its regular meeting on Monday, October 14, 2025.
5. The Town Clerk shall provide notice of the Town Council’s intent to enter into this lease in *The Pilot* newspaper no later than September 14, 2025.

Adopted this the 9th day of September 2025..

Elizabeth Robertson, Town Clerk



RESOLUTION #1131
APPROVAL OF FINANCING TERMS
300 SW Broad Street

WHEREAS, The Town of Southern Pines, North Carolina (the "Town") has previously determined to undertake a project to finance the purchase and upfit of 300 SW Broad Street, ("the Project"), and the Finance Director has now presented a proposal for the financing of such project.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines, North Carolina, in regular session assembled this 14th day of October, 2025, that:

1. The town hereby determines to finance the Project with First Bank, in accordance with the proposal dated August 26, 2025. The amount financed shall not exceed \$7,000,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 4.3%, and the financing term shall not exceed twenty (20) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Sections 265(b)(3).
5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the Project that is to be financed from the proceeds of the First Bank financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved, and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of conflict.
7. This resolution shall take effect immediately.

Adopted this the 14th day of October 2025.

Taylor G. Clement Mayor

I certify that this Resolution was adopted by the Town Council of the Town of Southern Pines at its meeting on October 14, 2025, as shown in the Minutes of the Town Council meeting for that date.

Elizabeth Robertson, Town Clerk



MINUTES

Tuesday, September 9, 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.

Mayor Clement reviewed the adopted Council Rules and Procedures and stated that she would be adhering to them more closely to ensure that the Agenda is completed in a timely matter.

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons invited all to the Town's 9/11 ceremony at the Sunrise Stage on Thursday, September 11th at 8:30am.

Town Manager Parsons addressed the Council's request for an update on the status of Application PD-02-25: Penick Village and shared that the applicant has acquired an additional lot, adjusted their plans and filed a new application set to be heard by the Planning Board later in the month.

Town Manager Parsons reviewed the agenda highlighting the following items:

- Please note that the header for Item #6 *Consent Agenda* is missing and that this is a clerical error.
- ask to remove Item #10 *Closed Session* as there are no additional updates at this time.

Councilmember Goodman asked for further clarification on the canceling of Item #10 and discussion ensued.

Councilmember Petersen requested more information on the Antenna Lease, the amount charged, and the proposed increase over the term of the lease and discussion ensued.

Councilmember Petersen requested the following corrections to the minutes up for adoption:

- Bournehorst to Bornhorst
- add that Mr. Bornhorst stated that the flooding issues had been resolved as of the last meeting.

Mayor Pro Tem Pate requested that #10 RFP/Loan Discussion be added.

Mayor Pro Tem Pate moved that Item #7c to leave Exhibit 31 and UDO §8.11 on the agenda and continue UDO §2.18.3 to the September 23rd Work Session; seconded by Councilmember Gray and the vote was unanimous.

Motion passed.

a. Adoption of Agenda

Adoption of Agenda

Mayor Pro Tem Pate moved that the Consent Agenda be approved with the following modifications:

- notation of the missing header for Item #6 Consent Agenda,
- the modification of Item #7c to leave Exhibit 31 and UDO §8.11 on the agenda and continue UDO

§2.18.3 to the September 23rd Work Session

- the deletion of Item #10 Closed Session

- the addition of Item #10: RFP/Loan Discussion

The motion was seconded by Councilmember Gray and the vote was unanimous,

Motion passed.

4. PRESENTATION

a. Appearance Commission: Sprucing Up Southern Pines Awards

The Appearance Commission will recognize the 2025 winners.

Cynthia Dowdy and Kate Shinkwin from the Southern Pines Appearance Commission gave a brief presentation and presented the certificates to the award winners.

Residential Nominations:

- 105 E Vermont Avenue
- 420 S. Ashe Street
- 360 Midland Road
- 280 E. Indiana Avenue
- 920 W. Iowa Avenue
- 760 S. Ashe Street

Commercial Nominations:

- 600 SW. Broad Street
- 140 Memorial Park Court
- 135 E. Pennsylvania Avenue
- 270 SW. Broad Street

5. PUBLIC COMMENTS

Scott Boulton, 185 Country Club Circle, shared concerns about the storm drainage on Country Club Circle and asked the Town to rectify the issues.

Lewis Beeman, 165 Country Club Circle, shared concerns regarding the storm drainage on Country Club Circle and asked for the Town to rectify the issues.

Joel Carner, 465 E. Delaware, asked if there was a way to restrict the usage of the downtown parking lot once it's renovated so that it could be used for skating during the week when traffic was not as dense.

Shane Fletcher, 260 E. Vermont Ave., shared his concerns regarding the amount of large trucks, high traffic volume, and high-speed limit on Vermont St., a residential street. Mr. Fletcher also feels the intersection of May Street and Vermont Avenue is at risk of accidents and made several recommendations to address these concerns.

Unknown, expressed her concern about changes to the intersections along US 1 and 15/501 Hwy. and requested that the Town speak to the Dept of Transportation regarding the future plan.

6. CONSENT AGENDA

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

Motion passed.

a. Eastman Road Watertank T-Mobile Antenna Lease Amendment

T-Mobile currently leases space on the Town's water tank at 240 Eastman Road. They have requested to increase the number of antennas on the tank from six to nine, which requires a revision to the existing lease and to extend the lease by two additional five-year terms, beginning October 1, 2029, when the current lease ends.

b. Approve Resolution #1124-A - Setting a Public Hearing Date for Annexation Application AX-02-25 - 1271 Old US 1 Hwy.

The Town Clerk requests that the hearing date be amended per Resolution #1124-A to September 23, 2025, to meet legal notice requirements.

The Clerk has issued a Certificate of Sufficiency for annexation application AX-02-25 and is requesting to proceed with setting a public hearing date.

c. Resolution #1128 Application for Wastewater Collection System Rehabilitation and Replacement Funding

Staff is working to complete an application for wastewater collection system rehabilitation and replacement funding through the Department of Water Infrastructure. A resolution in support of the application is required to accompany the application. The funding available may come in the form of low interest loans and, depending on application scores and funding availability, has the potential for principle forgiveness.

d. Resolution #1129 Approval of the 2025-2036 Water and Sewer Capital Improvements Plan

Staff is working on an application for wastewater collections system rehabilitation and replacement funding. A current Capital Improvement Plan (CIP) covering a minimum of 10 years is needed to maximize application scoring.

e. Resolution #1130 Approving Local Water Supply Plan

Staff is requesting that the Town Council adopt the attached resolution to accept the information contained in the 2024 Local Water Supply Plan for the Town of Southern Pines. Once approved by the Town Council, a signed copy of the attached resolution, or an amended version of such, will be provided to the Water Supply Planning Section Supervisor at the Division of Water Resources of the North Carolina Department of Environmental Quality (DEQ). The Local Water Supply Plan cannot be considered compliant with the requirements of NCGS §143-355(1) until an adopted resolution is received by the Division of Water Resources of NCDEQ.

f. Ordinance #3143, #3144 and #3145 closing the Capital Project Fund - Paving

Finance has requested the closure of CPF 55 and the transfer of the remaining monies to the Streets Department Contractual line-item.

g. Ordinance #3147 and #3146 establishing a Capital Project Fund for the purpose of purchasing and renovating 300 SW Broad Street

An Ordinance establishing a CPF for the purchase and renovation of 300 SW Broad Street as a Town Hall. \$500,000 is being transferred from the General Capital Reserve to establish the fund and cover initial expenses.

h. Approve Meeting Minutes

Staff has prepared the following minutes for approval:

- August 12, 2025, Town Council Business Meeting
- August 26, 2025. Town Council Work Session

7. PUBLIC HEARINGS - LEGISLATIVE

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

A continuation of a legislative public hearing that first began at the November 12, 2024 meeting. The public hearing was first continued one month to the December 17, 2024 meeting. On December 17, 2024 the hearing was continued for three months to the March 11, 2025 meeting. At the March 11, 2025 meeting it was continued again for three months to the June 10, 2025

meeting. At the June 10, 2025 meeting it was continued again for three months to the September 9, 2025 meeting. The public hearing is regarding proposed amendments to the UDO covering topics related to landscaping and tree protection requirements for new commercial development and subdivisions.

Town Planner Mason Mattox addressed the Council and shared that no word had come from Raleigh regarding Senate Bill 382 and staff is anticipating an update before November. Staff requests this item be continued to the November 6, 2025, Town Council meeting.

Mayor Clement advised that the Senate Bill and possible revisions are a frequent topic at the Mayor-Manager meetings.

Mayor Pro Tem Pate moved to continue the hearing for OA-03-24; Landscaping & Tree Protection Amendments to the November 6, 2025, Town Council Business Meeting, seconded by Councilmember Gray; the vote was unanimous.
Motion passed.

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

A continuation of a legislative public hearing that first began at the November 12, 2024 meeting. The public hearing was first continued one month to the December 17, 2024 meeting. On December 17, 2024 the hearing was continued for three months to the March 11, 2025 meeting. At the March 11, 2025 meeting it was continued again for three months to the June 10, 2025 meeting. At the June 10, 2025 meeting it was continued again for three months to the September 9, 2025 meeting. The public hearing is regarding the creation of a Downtown Character District and a West Southern Pines Character District.

Town Planner Mason Mattox addressed the Council and shared that no word had come from Raleigh regarding Senate Bill 382 and staff is anticipating an update before November. Staff requests this item be continued to the November 6, 2025, Town Council meeting.

Mayor Clement advised that the Senate Bill and possible revisions are a frequent topic at the Mayor-Manager meetings.

Mayor Pro Tem Pate moved to continue the hearing for Z-04-24 & OA-04-24; Zoning Map Amendment and UDO Text Amendments to the November 6, 2025, Town Council Business Meeting, seconded by Councilmember Gray; the vote was unanimous.
Motion passed.

c. OA-03-25: Unified Development Ordinance (UDO) Text Amendments

A public hearing regarding proposed amendments to the UDO related to the process to amend Planned Developments, an error on Exhibit 3-1 related to rear setbacks, and clarifying that Technical Review Committee meetings are open to the public.

Mayor Clement opened the hearing for OA-03-25; Unified Development Ordinance Text Amendments.

Town Planner James Broadwell presented the request and staff report to the Council and explained that the amendments would correct technical errors.

Discussion ensued regarding the discussion of items that have the potential to become quasi-judicial hearings.

Mayor Pro Tem Pate moved that after considering the criteria for text amendments found in UDO §2.17.10, the Town Council finds that the proposed text amendments for UDO Exhibit 3.1 and UDO

§8.11 are consistent with the Comprehensive Plan and are a reasonable way to implement that plan for the reasons set forth in the Planning Board's resolution that was included as an attachment to the staff report for OA-03-25, seconded by Councilmember Goodman; the vote was unanimous. Motion passed.

Mayor Pro Tem Pate moved to then approve the proposed amendments to the UDO as shown on the attachment to staff report OA-03-25 in the September 9, 2025, Town Council packet, with the following changes: remove UDO §2.18.3. The motion was seconded by Councilmember Goodman and the vote was unanimous. Motion passed.

8. PUBLIC HEARINGS - EVIDENTIARY

a. MAPP-03-25: East Indiana Ave. Major Subdivision Preliminary Plat

Colin Webster of The Ascot Corporation has submitted an application to subdivide 4.56 acres located on the west side of East Indiana Ave. near Strathmore St. that are currently zoned RS-2 into seven (7) single-family residential lots.

Mayor Clement opened the hearing and shared a brief explanation of quasi-judicial hearings. Town Attorney Mac McCarley qualified the Council by asking Councilmembers to disclose the following relative to the application and property: any specialized knowledge; a fixed opinion not subject to change; close relation to the applicant or property owner; and/or a financial interest in the outcome. All responses were negative. Town Attorney McCarley also asked the applicant if they wished to challenge any members of Council's standing and the response was negative. Mayor Clement swore in pending witnesses for the hearing.

Town Planner Broadwell presented the application and staff report to the Council. The project proposed to divide approximately 4.5 acres just to the south of E. Indiana

Staff Report = Exhibit A

Staff Presentation = Exhibit B

Councilmember Petersen questioned Condition #1 which reduced the setback for some lots to 20ft from 30ft due to the placement of the septic tanks.

Councilmember Goodman questioned the Planning Board's comments.

Mayor Pro Tem Pate asked if the traffic studies were done before or after the Planning Board's meeting and was told they were done before.

Councilmember Gray questioned Condition #2's mention of the possibility of red-cockaded woodpecker clusters and their location.

Councilmember Petersen asked for the justification for the request for 7 lots over the 5 lots allowed pursuant to UDO §2.19? Town Planner Broadwell explained that the number of lots is what triggered the hearing, not a requirement of the UDO.

Mayor Clement asked if the threshold was met to require a traffic engineer and was told that Town Engineer James Michel and TRC review the applicant did not need one.

Matthew Blake of Ascot Group presented for the applicant.

Councilmember Petersen asked for the dimensions of the septic tanks to be installed. Mr. Blake responded that they were being made but, based on the size of the proposed dwellings, they would measure approximately 4.5ft x 8ft x 6ft.

- Councilmember Petersen asked for the footage of the front of the lot. Mr. Blake did not have the answer with him. Councilmember Petersen stated that she needed that information to make her

decision.

- Councilmember Gray questioned the placement and Mr. Blake clarified.

- Councilmember Petersen asked if the tanks would be in the buffer and Mr. Blake stated that it was unknown until the design was completed.

Discussion ensued regarding the placement of the tanks and lack of details available until the design phase was entered.

Councilmember Petersen questioned Mr. Blake on his length of employment and his employment history. It was established that he was testifying as the applicant and there was no further need to qualify him.

Mayor Clement questioned why the applicant was installing septic rather than tying into the town's sewer system and Mr. Blakely stated that it was due to soil conditions and the lack of existing sewer in the area. Planning staff added that the area was in our ETJ, not within Town limits.

Mayor Pro Tem Pate verified that the applicant was not requesting any changes to the zoning of the lots and staff concurred.

Mayor Pro Tem Pate questioned the preliminary plat submitted showing a 20ft buffer. Town Planner Broadwell stated that it should be updated with 30ft buffer and that is proportional and reasonable in relation to other projects in the area. The applicant did not have an issue with the change to 30ft and said that any issues with the septic tank placement reducing the setback to 20ft could be triaged at TRC.

Public Comments

Kristen Osborne, 201 Strathmore, is a neighbor to the property and is at the low-lying property and drainage has been an ongoing issue and fears the construction would exacerbate the issue.

- Councilmember Goodman asked if the DOT's repair addressed the issue. Ms. Osborne stated that it helped for a while, but the ditch filled back in, so the drainage is again an issue.

- Councilmember Goodman asked Town Manager Parsons, who was responsible for the drainage in that area. Town Manager Parsons indicated that it would be either DOT or the adjacent property owners and, without further research, couldn't verify.

- Town Manager Parsons stated that he would inquire with DOT to see if they could address the issue.

Mr. Blake shared that the Ascot would be responsible for handling all stormwater on the construction site.

- Councilmember Goodman questioned what storm water management systems would be installed. Discussion ensued.

Councilmember Petersen questioned Mr. Blake's statement that they could only address stormwater on their property. Mr. Blake stated that they cannot dispense any more stormwater to adjacent properties, and it has to be managed within their own property.

- Councilmember Petersen asked if Mr. Blake considered that a liability on your part in perpetuity? Mr. Blake answered no.

Mayor Pro Tem Pate questioned if the front and rear 30ft setback would be undisturbed and Town Planner Broadwell stated that it only pertained to the trees that were 10 inches or more in diameter.

Mayor Clement asked if the septic tank placement would be addressed in TRC and Town Planner Broadwell confirmed that it would.

Mayor Clement closed the hearing.

Mayor Pro Tem Pate moved to adopt Attachment 1 of the staff report, as drafted, as Findings of Fact regarding the proposed Preliminary Plat MAPP-03-25, seconded by Councilmember Gray; the vote

was as follows:

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

Motion passed.

Mayor Pro Tem Pate moved to approve the Preliminary Plat MAPP-03-25 with the conditions set forth in staff report MAPP-02-25.

Condition 1 – Mature Tree Preservation. All existing trees, 10-inch diameter and larger, within the front setback (30-feet) of the seven lots abutting E. Indiana Avenue shall remain and shall be protected in accordance with the town’s tree protection standards, excluding areas required for driveways and/or utility access and easements. The preserved trees shall account for the town’s major subdivision street trees requirement.

• Tree protection fencing of at least 6-feet in radius shall be installed where applicable pursuant to UDO §4.3.13. The developer may request a reduction in tree protection fence radius during site plan review; town staff shall grant a requested tree protection fence radius reduction, contingent on the Town Arborist’s concurrence that a proposed reduction will not significantly impinge tree viability.

• The Final Plat for MAPP-03-25 shall reflect a note detailing that all trees, 10-inches in diameter and greater, shall be preserved within the front setback.

This condition is pursuant to MAPP Criterion 1, Comprehensive Plan Policies 4.9 and 4.10, and UDO §4.3.13.

Condition 2 – Red Cockaded Woodpecker (RCW) Assessment. The developer shall conduct the necessary RCW assessment to identify any possible cavity trees, possible sensitive foraging area, and overall RCW impact prior to lot clearing.

• Town staff shall verify the study’s findings and any necessary adjustments to meet Endangered Species Act (ESA) regulation, in line with the second Major Subdivision criterion.

• The developer shall make any necessary adjustments that result from the findings to adhere to federal ESA regulation and the second Major Subdivision criterion.

This condition is pursuant to MAPP Criterion 2 and Comprehensive Plan Policy 4.9.

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.

9. ACTION ITEMS

a. Planning Board Appointments

The Planning Director requests that the Town Council consider reappointing Mr. Matthew Walden to a second term on the Planning Board. The Planning Director also requests that the Town Council consider appointing one of two applicants to fill a vacancy recently created when Ms. Kim Wade completed her second term on August 12, 2025.

Mayor Clement asked if staff had any recommendations and staff stated that their only recommendation was that Matthew Walden be reappointed to another term.

Councilmember Gray asked if any of the applicants were present and would like to speak. No one spoke.

Councilmember Goodman moved to reappoint Matthew Walden to another term on the Planning Board, seconded by Councilmember Gray; the vote was unanimous.
Motion passed.

Councilmember Gray moved to continue the discussion of the Planning Board applicants to the September 23, 2025, Work Session, seconded by Councilmember Goodman; the vote was unanimous.
Motion passed.

10. RFP LOAN DISCUSSION

a. RFP Loan Discussion

Town Manager Parsons provided an update on the RFP Loan information for the purchase of 300 SW Broad Street sent to the Councilmembers earlier in the week and the timeline for submittals and approval from LGC.

Discussion ensued regarding interest rates, pre-pay penalties and RFP procedures.

11. ADJOURNMENT

Town Manager Parsons provided an update on the RFP Loan information for the purchase of 300 SW Broad Street sent to the Councilmembers earlier in the week and the timeline for submittals and approval from LGC.

Discussion ensued regarding interest rates, pre-pay penalties and RFP procedures.

Upon motion by Councilmember Gray, seconded by Councilmember Petersen and carried unanimously, Council adjourned at 8:07 pm.

Respectfully submitted:

Elizabeth Robertson, Town Clerk



MINUTES

Tuesday, September 23, 2025: 3:00 PM

Town Council Work Session

C. Michael Haney Community Room: Southern Pines Police Department
450 W. Pennsylvania Ave

1. CALL TO ORDER

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

Mayor Clement spoke about the Charlie Kirk assassination and will observe a moment of silence at the November meeting.

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Assistant Town Manager Jessica Roth reviewed the agenda.

Mayor Pro Tem Pate moved to approve the meeting agenda, seconded by Councilmember Goodman, the vote was unanimous.

Motion passed.

4. ACTION ITEMS

a. Written Decision for East Indiana Lots Subdivision

Planning staff have prepared a draft Written Decision for application PD-01-25, Tommy's Car Wash PDP, for the Town Council's review and approval. The PDP was approved at the July 22, 2025 Regular Meeting.

Mayor Clement opened the discussion.

Councilmember Goodman asked staff if the applicant had been given a copy of the decision prior to the meeting and Planning Director Grieve indicated that they had.

Councilmember Goodman moved to approve the Written Decision as prepared by staff for MAPP-03-25, seconded by Councilmember Gray; 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. National Register of Historic Places Nomination: Our Lady of Victory Parish

The Town is documenting historic sites in West Southern Pines with a National Park Service Underrepresented Communities grant. As part of this work, a nomination has been submitted to list the former Our Lady of Victory Catholic Parish—now the E.S. Douglass Community Center and

Coalition Resale Shops campus—on the National Register of Historic Places. The Town may comment on the nomination; staff recommends supporting it since the buildings and site are locally significant.

Town Planner Mason Mattox presented details of the item to the Council.

Mayor Pro Tem Pate moved to approve the recommendation in favor of Our Lady of Victory Parish being placed on the National Register of Historic Places, seconded by Councilmember Goodman; the vote was unanimous.

Motion passed.

c. Consider Appointment to Fill One Planning Board Vacancy

The Planning Board currently has a vacancy. The Planning Director requests that the Town Council make an appointment to fill this vacant seat.

Mayor Clement opened the discussion.

Councilmember Petersen stated that one applicant is present at the meeting and that she nominates Mr. Friday for the open position.

Discussion ensued regarding the order in which the applications were received and if Mr. Haskell's application was received first.

Councilmember Petersen requested that a policy be adopted regarding the way board vacancies are filled.

Councilmember Petersen moved to appoint Mr. Friday to the open position, seconded by Mayor Pro Tem Pate; the vote was as follows:

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

Motion failed.

Mayor Clement will contact Mr. Haskell since his application was received prior to Mr. Friday's and see if he is still interested in serving.

Council agreed to revisit the appointment at the October business meeting and give both candidates an opportunity to speak.

5. PUBLIC HEARINGS - LEGISLATIVE

a. AX-02-25: Petition for annexation of a portion of land at 1271 Old US Highway 1

Trophy Point Properties IV LLC is requesting annexation of a .24-acre portion of an existing parcel located at 1271 Old US Highway 1.

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

Mayor Pro Tem Pate requested clarification of when an application for annexation was needed, with Planning Director Grieve responding.

Mayor Clement opened the public hearing and asked for public comment. None were voiced.

Mayor Clement closed the public hearing.

Councilmember Goodman moved to adopt Ordinance #3142 approving voluntary annexation request AX-02-25 for the property as defined in the legal description and to have the ordinance effective immediately, seconded by Councilmember Gray; the vote was unanimous.

Motion passed

b. Amendment to zoning regulations regarding the process for amending Planned Developments.

These proposed revisions to the zoning regulations will change the process to amend Planned Developments. The public hearing was opened and continued at the September 9, 2025 meeting. Planning Director Grieve presented the request to the Council.

Mayor Pro Tem Pate questioned why staff proposed the amendment and Planning Director Grieve stated that concerns were brought to staff by the community.

Discussion ensued with debate over the rights of the property owners being of concern.

Mayor Clement opened the public hearing and asked for public comment. None were voiced.

Mayor Clement closed the public hearing.

Councilmember Goodman moved to approve the amendment to the zoning regulations regarding the process for amending planned developments with the understanding that this is not open season for amending currently zoned planned developments. The motion was seconded by Councilmember Gray and the vote was as follows:

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

Motion passed.

c. Installment Financing Contract — 300 SW Broad Street

The Town intends to enter into an installment financing contract in a principal amount currently expected not to exceed \$7,000,000.00, the proceeds of which will be used to purchase and upfit the property located at 300 SW Broad Street.

Asst. Town Manager Roth presented the request to the Council.

Finance Director Tess Brubaker-Speis reviewed the details of the submitted bids for the Council.

The LGC commission will meet on October 7th to review our application for approval.

Discussion ensued over the process of getting bids and negotiating terms.

Mayor Clement opened the public hearing and asked for public comment. None were voiced.

Mayor Clement closed the public hearing.

Mayor Pro Tem Pate moved that it was in the public interest for the Town to enter into this installment financing contract and that staff should prepare the resolution and/or any other paperwork needed to move forward, seconded by Councilmember Gray; the vote was unanimous.

Motion passed.

6. COUNCIL UPDATES AND DISCUSSION

a. Sandhills Bogeys Request to Use Southern Pines Sports Park

The Sandhills Bogeys, a collegiate summer baseball team, have approached the Town regarding long-term use of Armory Field at the Southern Pines Sports Park. The team has played at Sandhills Community College, but will lose access due to campus construction. Staff will discuss the request in more detail with Council and members of the Bogeys' staff will also be present.

Asst. Town Manager Roth gave an overview of the requested agreement presented by the Sandhills Bogeys and requested feedback from the Council regarding the proposed terms and whether staff should continue and prepare an agreement for future approval.

Mr. Allred, representing the Bogeys, is present as well as Recreation Director Greg Thompson. Discussion ensued over fencing, parking, security and lights.

Council agreed that staff should continue negotiations and draft an agreement with the Sandhills Bogeys.

b. Request: ROW Reduction on E. New York Ave.

The owner of 195 S. Ridge Street, located at the corner of S. Ridge St. and E. New York Ave., would like to install two gates across his driveways entering E. New York Ave. The proposed location is within the current right-of-way (ROW) of E. New York Avenue. Due to unique circumstances related to both this property and the ROW, staff feels it would be reasonable to consider reducing the size of the ROW in this block, which would allow for this installation to proceed.

Town Engineer/Asst. Public Works Director James Michel presented the item to the Council.

The owner of the property has requested permission to install two gates across his driveway which would decrease the town's right-of-way. Staff, upon review of the unique circumstances of the situation with the street being a dead-end road and only having two residences on it, recommends approval of the request. Discussion ensued.

c. General Stormwater Discussion

Staff will provide an update on potential regulatory changes related to stormwater.

Town Engineer/Asst. Public Works Director James Michel shared with the Council that there is news that the Town may soon be designated as a regulated S4 (Municipal Separate Storm Sewer System), which is a result of the increase in population and urbanization. Nothing is official yet, but staff wanted to let the Council know as soon as possible, since the designation comes with increased responsibilities and requirements that would impact staff costs and resources.

Discussion ensued.

d. Planning Department Update

Planning staff will briefly update the Town Council on agenda items coming in October. Staff will also discuss recent instances of online application materials being used by scammers to attempt to collect fraudulent application fees and present actions being taken to try and prevent this from happening.

Planning Director Grieve gave an update on Planning items that should be expected on the October Business Meeting agenda. He also shared that the Planning Department's online application forms had recently been targeted by an online AI scraping scam that then used the information to send fake invoices for application fees and shared the measures used to inform the public and prevent future scams.

7. COUNCIL ROUNDTABLE

Councilmember Petersen

- She attended the County Commissioners meeting in an effort to address the process used for getting

affordable transportation from the County and has found that the system is extremely cumbersome to acquire tokens and the hours are limited. She would like to find a way to address it within Southern Pines by using budget funds to pre-purchase tokens for citizens.

- Citizens have come to her regarding traffic on May Street turning left onto Indiana, where traffic is becoming really backed up, and proposed staff asking DOT to re-time the light to a dedicated left turn lane.

Mayor Clement

- traffic circle meeting has been scheduled, and she will share the date and time when she has it.

- The National League of Municipalities sent a letter thanking the Town for everything they do and offering services.

- Been informed there are sand spurs in the grass at Whitehall.

- scheduled meeting with the Ft. Bragg Planning Director.

Mayor Pro Tem Pate

- shout out to Jessica because she's the employee featured in the Town's Tuesday spotlight on Facebook.

- asked for an update on the Midland Road work since the orange barrels have been up for a while with no work.

Councilmember Gray

- attended the birthday celebration at the Library.

- attended a Rotary meeting with Councilmember Goodman.

8. ADJOURNMENT

Upon motion by Councilmember Petersen, seconded by Mayor Pro Tem Pate and carried unanimously, Council adjourned at 5:09 pm.

Respectfully submitted:

Elizabeth Robertson, Town Clerk



RESOLUTION #1133
RESOLUTION ADOPTING CONTRACT TO ACCEPT THE NORTH CAROLINA GOVERNOR'S HIGHWAY SAFETY PROGRAM GRANT

WHEREAS, the Southern Pines Police Department (herein called the "Agency") has completed an application contract for traffic safety funding; and that Town of Southern Pines (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract;

NOW, THEREFORE BE IT RESOLVED, that the Southern Pines Town Council, in open meeting assembled in the Town of Southern Pines, North Carolina, this the 14th day of October, 2025, as follows:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Master Patrol Officer Marcus Ricks is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of **\$30,000.00** to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of **\$0.00** as required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

Adopted this 14th day of October, 2025.

ATTEST

TOWN OF SOUTHERN PINES

Elizabeth Robertson, Town Clerk

Taylor G. Clement, Mayor

guidance and coordination efforts of the LELs, reporting activities from campaign events occur. Regional LELs encourage non-participating agencies to commit to GHSP's campaigns using phone calls, in-person visits and/or regional emails.

Proposed Solution (Begin with a one-sentence summary of your project. Then describe in detail how your proposed project will address the problem identified in the "Statement of Problem" section):

A Regional Law Enforcement Liaison serves as coordinator and organizer for highway safety activities in their respective region. Efforts to continue to promote and involve law enforcement agencies in these lifesaving endeavors are of paramount importance to this statewide program. To this end, LELs are required to host events, attend and conduct meetings, assist County Coordinators with organizing highway safety campaigns, and encouraging agencies to report activities.

Budget Justification (Provide a detailed explanation of the costs associated with proposed project):

The Southern Pines Police Department has continued to see speeding as a frequent cause of vehicle crashes. Most enforcement takes place on major roadways due to their high crash volume; Speeding continues to be a leading cause of crashes in our State. With funding for (4) four additional RADARS and (1) one LIDAR, more officers can be placed in areas to combat this concern. Our hope is that more enforcement leads to fewer crashes.

The purpose of radar speed signs is to slow cars down by making drivers aware when they are driving at speeds above the posted limits. They are used as a traffic calming device in addition to or instead of physical devices such as speed bumps and rumble strips. Radar speed signs are a proven traffic calming solution to raise the speed awareness of oncoming drivers. Studies repeatedly show that when alerted by a radar sign, speeders WILL slow down up to 80% of the time. Typical average speed reductions are 10-20%, and overall compliance with the posted speed limit will increase by 30-60%. Data captured from the sign's software will track vehicle counts, speeds, and time of day. This data will be used direct patrols at the correct time. Software used with the speed display sign may record speeds of vehicles passing by, calculate traffic counts, indicate when speeding is most prevalent, and calculate the average vehicle speed by each hour or for the entire the sign was operating.

Travel Justification (Provide justification for all travel expenses):

In-state travel and out-of-state funds will be used for travel to perform LEL functions, trainings, and responsibilities. Some of the funds may be used to attend traffic safety conferences and trainings. Some examples would be the NCGHSP's traffic safety conference, the annual Lifesaver's national conference, the GHSA annual conference and similar training related to traffic safety enforcement and education.

To be completed by all law enforcement agencies:

Provide the agency's number of sworn officers	43
Does the agency currently have a dedicated traffic or DWI unit?	Yes <input checked="" type="radio"/> No <input type="radio"/>
If a dedicated traffic or DWI unit exists, how many officers are assigned to the unit?	7

For applicants requesting enforcement grants, please provide the following county fatality rankings:
Information can be located at:

<https://connect.ncdot.gov/municipalities/Law-Enforcement/Pages/Law-Enforcement-Reporting.aspx>

Overall Fatality Ranking:	27
Alcohol Fatality Ranking:	36
Unrestrained Fatality Ranking:	36
Speed Related Fatalities:	29
Other Applicable Rankings: (Specify)	

As part of this project all law enforcement agencies must enter traffic enforcement citations data of their agency for the past three years.

Year 2022	Occupant Protection Citations	4	DWI Citations	32	Speed Citations	66
Year 2023	Occupant Protection Citations	4	DWI Citations	44	Speed Citations	56
Year 2024	Occupant Protection Citations	10	DWI Citations	42	Speed Citations	115

Goals and Objectives (Provide at least one SMART (Specific, Measurable, Attainable, Realistic and Timely) goals and objectives. For more detailed information see "How to write an effective traffic safety project" located at:

<https://connect.ncdot.gov/municipalities/Law-Enforcement/Pages/Law-Enforcement-Reporting.aspx>)

Goal #1: Goal: Promote highway safety within Region #6 with increased efforts to maintain seatbelt use above 90% by

September 30, 2026. Raise the law enforcement agency participation rate in Region #6 from the 2023-2024 average of 84% to an average of 85+ % reporting in Region #6 by September 30, 2026.

- Objectives:
- Conduct a minimum of four Law Enforcement County Coordinator (LECC) meetings to discuss current highway safety activities, GHSP issues, training opportunities, and legal updates and concerns.
 - Compile a quarterly regional report for GHSP that includes a summary of the reports from the LECC's and the activities by the RLEL.
 - Promote night-time seatbelt initiatives, GHSP campaigns and events within Region #6.

Goal #2:

Objectives:

Goal #3:

Objectives:

Below are the 5-year goals of the NC Governor's Highway Safety Program (GHSP). To be eligible for funding, your traffic safety project should match one or more of the GHSP goals. Check all that apply.

Reduce NC's traffic-related fatalities by 6% from the 2022 total of 1,784 to 1,676 by December 31, 2026.

Reduce NC's alcohol-related fatalities by 6% from the 2022 total of 448 to 421 by December 31, 2026.

Reduce NC's unrestrained fatalities by 6% from the 2022 total of 562 to 528 by December 31, 2026.

Reduce NC's speed-related fatalities by 6% from the 2022 total of 426 to 400 by December 31, 2026.

Reduce NC's young driver-related fatalities by 6% from the 2022 total of 198 to 186 by December 31, 2026.

Reduce NC's motorcycle fatalities by 6% from the 2022 total of 237 to 222 by December 31, 2026.

Increase NC's seat belt usage rate from the 2022 usage rate of 90.8% to 91.8% by December 31, 2026.

SECTION C – BUDGET DETAIL

Other Direct Costs

#	Equipment	Quantity	Cap Amount	Cost
1	RADAR-INCLUDES INSTALLATION AND SHIPPING	3	\$3,500.00	\$10,500.00
2	LIDAR-INCLUDES SHIPPING	1	\$4,000.00	\$4,000.00
Total Equipment Cost				\$14,500.00

Other Equipment Details :

#	Other Items and Equipment Direct Cost:	Cost
1	LECC SUPPORT	\$5,000.00
2	TRAFFIC SOLUTIONS RADAR SIGN SOFTWARE	\$5,500.00
Total Other Items and Equipment Direct Cost:		\$10,500.00

#	Travel	Cost
1	In-State Travel	\$2,500.00
2	Out-of-State Travel	\$2,500.00
Total Travel Cost:		\$5,000.00
Total Other Direct Costs:		\$30,000.00

SECTION D – SCHEDULE OF TASKS BY QUARTERS

List the schedule of tasks by quarters, referring specifically to the objectives in Section B. Tasks should be a bulleted list of activities to be performed in each quarter.

Conditions for Enforcement Projects Only

By checking this box, the above agency agrees to the terms below as additional activities to be performed as part of this project.

- A minimum of one (1) nighttime and one (1) daytime seat belt initiative per month;
- A minimum of one (1) impaired driving checkpoint per month;
- A minimum of 50% of seat belt initiatives must be conducted at night between the hours of 7:00 p.m. and 7:00 a.m.;
- Participation in all "Click It or Ticket" and "Booze It & Lose It" campaigns;
- Participation in any event or campaign as required by the GHSP;
- Attempt to utilize one of the Forensic Tests for Alcohol Branch's Mobile Breath Alcohol Testing (BATMobiles) units during at least one of the impaired driving checkpoints.

First Quarter (October, November, December)

- Attend 75% of all GHSP meetings and events.
- Conduct a minimum of one county coordinator meeting.
- Meet/call with a minimum of three non-participating/reporting agencies within the Region.
- Compile a summary of LECC activity into the regional quarterly report.
- Submit Quarter 1 progress report by January 15.

Second Quarter (January, February, March)

- Attend 75% of all GHSP meetings and events.
- Conduct a minimum of one county coordinator meeting.
- Meet/call with a minimum of three non-participating/reporting agencies within the Region.
- Compile a summary of LECC activity into the regional quarterly report.
- Submit Quarter 2 progress report by April 15.

Third Quarter (April, May, June)

- Attend 75% of all GHSP meetings and events.
- Conduct a minimum of one county coordinator meeting.
- Meet/call with a minimum of three non-participating/reporting agencies within the Region.
- Compile a summary of LECC activity into the regional quarterly report.
- Submit Quarter 3 progress report by July 15.

Fourth Quarter (July, August, September)

- Attend 75% of all GHSP meetings and events.
- Conduct a minimum of one county coordinator meeting.
- Meet/call with a minimum of three non-participating/reporting agencies within the Region.
- Compile a summary of LECC activity into the regional quarterly report.
- Submit Quarter 4 progress report and the Final Accomplishment Report by October 15.

AGENCY AUTHORIZING SIGNATURE

I have read and accept terms and conditions of the grant funding and attached the Grant Agreement. The information supplied in this application is true to the best of my knowledge

Name: PIN: Date:

Note:

1. Submitting grant application is not a guarantee of grant being approved.
2. Once form has been submitted, it cannot be changed unless it has a status of "Return".

FOR GHSP USE ONLY:

Recommendation:

Date:



State of North Carolina North Carolina Department of Transportation Governor's Highway Safety Program

The North Carolina Governor's Highway Safety Program (GHSP) will award federal assistance in support of the project described below. The grantee affirms this GHSP award and enters into this grant agreement with GHSP. This grant period is October 1, 2025 through September 30, 2026.

The following documents are incorporated by reference and made part of this pending grant agreement:

- (1) Governor's Highway Safety Program's approved grant application;
- (2) The signed Agreement of Conditions that the grantee signed and provided to GHSP;
- (3) Resolution form that the grantee signed and provided to GHSP, and;
- (4) Any award notifications containing special conditions or requirements, if issued.

This agreement is not valid until the date the authorized NC Department of Transportation (NCDOT), Governor's Highway Safety Program (GHSP) official's electronic signature is entered for this grant agreement.

NCDOT GHSP Award

Upon the Execution of this grant agreement by the grantee named below, GHSP will award a federal grant as follows:

Project Number: PT-26-06-06

Grantee: 1000000511 / TOWN OF SOUTHERN PINES

Application Number: 1000024661

Agreement Number: 2000086082

CFDA Number: 600

Total Eligible Cost (in U.S. Dollars): 30,000.00

Federal Percentage of Total Eligible Cost (in U.S. Dollars): 100.00000

Local Percentage of Total Eligible Cost (in U.S. Dollars): 0.00000

Effective Date: October 1, 2025



Maximum Percentage (s) of GHSP Participation: Percentages of Federal participation are based on amounts included in the approved project budget, modified as set forth in the text following the project description.

Project Description: The Project Description includes information describing the Project within the Project Application submitted to GHSP and the approved project budget, modified by any additional statements displayed in this Grant Agreement and, to the extent GHSP concurs, statements in other documents including attachments entered in the grants management system.

The Grantee, by executing this grant agreement, affirms intent to accept this GHSP award; adopts and ratifies all statements, representations, warranties, covenants and materials it has submitted to GHSP; consents to this GHSP award; and agrees to all terms and conditions set forth in this Grant Agreement. By executing this Grant Agreement, I am simultaneously executing any Supplemental Agreement that may be required to effectuate this Grant Agreement.

Awarded by: NC Department of Transportation-GHSP

Executed by: Mark Ezzell, Director

Awarded to: TOWN OF SOUTHERN PINES

Executed by: MARCUS RICKS



**North Carolina Governor's Highway Safety Program
Agreement of Conditions**

This Agreement is made by and between the North Carolina Department of Transportation, hereinafter referred to as the "Department", to include the Governor's Highway Safety Program, hereinafter referred to as "GHSP"; and the applicant agency, for itself, its assignees and successors in interest, hereinafter referred to as the "Agency". During the performance of this contract, and by signing this contract, the Agency agrees as follows:

A. Federal Provisions

1. **Equal Opportunity/Nondiscrimination.** The Agency will agree to comply with all Federal statutes and implementing regulations relating to nondiscrimination concerning race, color, sex, religion, national origin, handicaps, and age. These include but are not limited to:
 - (a) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 78 stat. 252);
 - (b) The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. 4601)
 - (c) Federal-Aid Highway Act of 1973, (23 U.S.C. 324 et seq.), and Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686);
 - (d) Non-Discrimination in Federally-assisted programs of the United States Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (49 CFR Part 21), hereinafter referred to as "USDOT", as amended;
 - (e) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 et seq.), as amended, and 49 CFR Part 27; and
 - (f) The Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 et seq.);
 - (g) The Civil Rights Restoration Act of 1987, (Pub. L. 100-209);
 - (h) Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131-12189) and 49 CFR parts 37 and 38;
 - (i) Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations;
 - (j) Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency
2. **Drug Free Workplace.** The Agency agrees to comply with the provisions cited in the Drug-Free Workplace Act of 1988 (41 U.S.C. 8103).
3. **Federal Grant Requirements and Contracts.** The Agency shall comply with the following statutes and implementing regulations as applicable:
 - (a) Highway Safety Act of 1966 (23 U.S.C. Chapter 4 -), as amended;
 - (b) Sec. 1906, Pub. L. 109-59, as amended by Sec. 4011, Pub. L. 114-94;
 - (c) Uniform Procedures for State Highway Safety Grant Programs (23 CFR part 1300);
 - (d) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 1201);
 - (e) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200) and all other relevant Federal regulations covering the Highway Safety Program;
 - (f) NHTSA Highway Safety Grant Funding Guidance, as revised, July 2015 (www.nhtsa.gov) and additions or amendments thereto.
4. **Political Activity (Hatch Act)** The Agency will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
5. **Lobbying.**
 - (a) **Certification Regarding Federal Lobbying.** The undersigned certifies, to the best of his or her knowledge and belief, that:
 - (i) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.



- (ii) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (iii) The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure

- (b) **Restriction on State Lobbying.** None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

6. Audits.

- (a) **Audit Required.** Non-Federal entities that expend \$750,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year in accordance with the provisions of 2 CFR, Subpart F, §200.500. Guidance on determining Federal awards expended is provided in 2 CFR, Subpart F, §200.502.
- (b) **Single Audit.** Non-Federal entities that expend \$750,000 or more in a year in Federal awards shall have a single audit conducted in accordance with 2 CFR, Subpart F, §200.501, except when they elect to have a program-specific audit conducted in accordance with 2 CFR, Subpart F, §200.501, paragraph (c).
- (c) **Non-Governmental Entities.** Non-governmental entities (not-for-profit and for-profit entities) must adhere to North Carolina General Statute 143C-6.22 and 09 NCAC Subchapter 03M.

7. Instructions for Lower Tier Certification.

- (a) By signing and submitting this proposal, the prospective lower tier participant (the Agency) is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1200.
- (b) The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- (c) The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- (d) The terms covered transaction, civil judgement, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR Part 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- (e) The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred,

suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

- (f) The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1200.
 - (g) A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
 - (h) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
 - (i) Except for transactions authorized under paragraph 7(e) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies including suspension or debarment.
 - (j) **Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions.**
 - (i) The prospective lower tier participant (the Agency) certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in covered transactions by any Federal department or agency.
 - (ii) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participants shall attach an explanation to this contract proposal.
8. **Buy America Act.** The Agency and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.
9. **Prohibition On Using Grant Funds To Check For Helmet Usage.** The Agency and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.
10. **Conditions for State, Local and Indian Tribal Governments.** State, local and Indian tribal government Agencies shall adhere to the standards established by 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments and additions or amendments thereto, for principles for determining costs applicable to grants and contracts with state, local and Indian tribal governments.
11. **Conditions for Institutions of Higher Education.** If the Agency is an institution of higher education, it shall adhere to the standards established by 2 CFR Part 215 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations and 2 CFR 220 Cost Principles for Educational Institutions for determining costs applicable to grants and contracts with educational institutions.

- 12. Conditions for Non-Profit Organizations.** If the Agency is a non-profit organization, it shall adhere to the standards established by 2 CFR Part 215 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations and 2 CFR Part 230 Cost Principles for Non-Profit Organizations for determining costs applicable to grants and contracts with non-profit organizations.
- 13. Conditions for Hospitals.** If the Agency is a hospital, it shall adhere to the standards established by 2 CFR Part 215 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations.

B. General Provisions

1. **Contract Changes.** This document contains the entire agreement of the parties. No other contract, either oral or implied, shall supercede this Agreement. Any proposed changes in this contract that would result in any change in the nature, scope, character, or amount of funding provided for in this contract, shall require a written addendum to this contract on a form provided by the Department.
2. **Subcontracts Under This Contract.** The Agency shall not assign any portion of the work to be performed under this contract, or execute any contract, amendment or change order thereto, or obligate itself in any manner with any third party with respect to its rights and responsibilities under this contract without the prior written concurrence of the Department. Any subcontract under this contract must include all required and applicable clauses and provisions of this contract. Subcontracting does not relieve the Agency of any of the duties and responsibilities of this agreement. The subcontractor must comply with standards contained in this agreement and provide information that is needed by the Agency to comply with these standards. The Agency must submit any proposed contracts for subcontracted services to the Governor's Highway Safety Program for final approval no less than 30 days prior to acceptance.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment.** In all solicitations, either by competitive bidding or negotiation, made by the Agency for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Agency of the Agency's obligations under this contract. Additionally, Agencies making purchases or entering into contracts as provided for by this contract must adhere to the policies and procedures of 2 CFR Part 200 and North Carolina General Statute 143-128.4. Historically underutilized business defined; statewide uniform certification as it pertains to Historically Underutilized Businesses.
4. **Incorporation of Provisions in Subcontracts.** The Agency shall include the provisions of section A-1 through A-13 of this Agreement in every subcontract, including procurements of materials and leases of equipment, unless exempted by the regulations, or directives issued pursuant thereto. The Agency shall take such action with respect to any subcontract or procurement as the Department, the State of North Carolina, hereinafter referred to as the "State", the National Highway Traffic Safety Administration, hereinafter referred to as "NHTSA", or the Federal Highway Administration, hereinafter referred to as "FHWA", may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event the Agency becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Agency may request the Department or the State to enter into such litigation to protect the interests of the Department or the State. In addition, the Agency may request the NHTSA or FHWA to enter into such litigation to protect the interests of the United States.
5. **Outsourcing.** All work shall be performed in the United States of America. No work will be allowed to be outsourced outside the United States of America.
6. **Property and Equipment.**
 - (a) **Maintenance and Inventory.** The Agency shall maintain and inventory all property and equipment purchased under this contract.
 - (b) **Utilization.** The property and equipment purchased under this contract must be utilized by the Agency for the sole purpose of furthering the traffic safety efforts of the Agency for the entire useful life of the property or equipment.
 - (c) **Title Interest.** The Department and NHTSA retain title interest in all property and equipment purchased under this contract. In the event that the Agency fails or refuses to comply with the provisions of this Agreement or terminates this contract, the Department, at its discretion, may take either of the following actions:
 - (i) Require the Agency to purchase the property or equipment at fair market value or other mutually agreed to amount; or

- (ii) Require the Agency to transfer the property or equipment and title of said property or equipment, if any, to the Department or to another Agency, as directed by the Department.
- (d) **Non-expendable Property.** Non-expendable property is defined as property or equipment having a value of \$5000 or more with a life expectancy of more than one year. Non-expendable property purchased under this contract cannot be sold, traded, or disposed of in any manner without the expressed written permission of the Department.
7. **Educational or Other Materials.** If allowed, any educational or other materials developed using funds from this contract must be reviewed and approved by the GHSP prior to their production or purchase. The cost of these materials is generally limited to a maximum of \$5.00 per item. The purchase of promotional items and memorabilia are not an allowable cost.
8. **Review of Reports and Publications.** Any reports, papers, publications, or other items developed using funds from this contract must be reviewed and approved by the GHSP prior to their release.
9. **Reimbursement.**
- (a) **General.** Payments are made on a reimbursement basis. There is no schedule of advance payments. Only actual allowable costs are eligible for reimbursement. Claims for reimbursement must be made a minimum of quarterly and no more than once a month via the Grants Management System. Claims for reimbursement not made within the three month threshold are subject to denial. The itemized invoice shall be supported by documentation of costs as prescribed by the Department. Reimbursements will not be processed if other required reports are incomplete or have not been submitted. Failure to submit complete reports by the required deadline may result in denial of reimbursement.
- (b) **Approval.** The Governor's Highway Safety Program and the Department's Fiscal Section shall approve the itemized invoice prior to payment.
- (c) **Unapproved Costs.** Any rejected or unaccepted costs shall be borne by the Agency. The Agency agrees that in the event the Department determines that, due to Federal or State regulations that grant funds must be refunded, the Agency will reimburse the Department a sum of money equal to the amount of Federal and State participation in the rejected costs.
- (d) **Final Claims for Reimbursement.** Final claims for reimbursement must be received by the GHSP within 30 days following the close of the approved contract period. Project funds not claimed by this date are subject to reversion.
- (e) **Expending Funds Under This Contract.** Under no circumstances will reimbursement be made for costs incurred prior to the contract effective date or after the contract ending date.
10. **Project Costs.** It is understood and agreed that the work conducted pursuant to this contract shall be done on an actual cost basis by the Agency. The amount of reimbursement from the Department shall not exceed the estimated funds budgeted in the approved contract. The Agency shall initiate and prosecute to completion all actions necessary to enable the Agency to provide its share of the project costs at or prior to the conclusion of the project.
11. **Program Income.** The Agency shall account for program income related to projects financed in whole or in part with federal funds in accordance with 2 CFR 200.307. Program income earned during the contract period shall be retained by the Agency and deducted from the federal funds committed to the project by the GHSP unless approved in advance by the Federal awarding agency as an addition to the project. Program income must be accounted for separately and the records made available for audit purposes.
12. **Project Directors.** The Project Director, as specified on the signature page of this Agreement, must be an employee of the Agency or the Agency's governing body. Any exception to this provision must have the expressed written approval of GHSP.
13. **Reports Required.**
- (a) **Quarterly Progress Reports.** Unless otherwise directed, the Agency must submit Quarterly Progress Reports to the GHSP, on forms provided by the Department, which reflect the status of project implementation and attainment of stated goals. Each progress report shall describe the project status by quarter and shall be submitted to GHSP no later than fifteen (15) days after the end of each quarter. If the Agency fails to submit a Quarterly Progress Report or submits an incomplete Quarterly Progress Report, the Agency will be subject to having claims for reimbursement withheld. Once a Quarterly Progress Report that substantiates adequate progress is received, cost reimbursement requests may be processed or denied at the discretion of GHSP.
- (b) **Final Accomplishments Report.** A Final Accomplishments Report must be submitted to the GHSP within fifteen (15) days of completion of the project, on forms provided by the Department, unless otherwise directed. If the Agency fails to submit a Final Accomplishments Report or submits an

- incomplete Final Accomplishments Report, the Agency will be subject to having claims for reimbursement withheld. Once a Final Accomplishments Report that substantiates adequate progress is received, claims for reimbursement may be processed or denied at the discretion of GHSP.
- (c) **Audit Reports.** Audit reports required in Section A-6 above shall be provided to the Department within thirty (30) days of completion of the audit.
- 14. Out-of-State Travel.**
- (a) **General.** All out-of-state travel funded under this contract must have prior written approval by the Governor's Highway Safety Program.
- (b) **Requests.** Requests for approval must be submitted to the GHSP, on forms provided by the Department, no less than thirty (30) days prior to the intended departure date of travel.
- (c) **Agency Travel Policy Required.** For Agencies other than state agencies, out-of-state travel requests must include a copy of the Agency's travel policy, to include allowances for lodging, meals, and other travel-related expenses. For state agencies, maximum allowable subsistence is limited to the prevailing per diem rates as established by the North Carolina General Assembly.
- (d) **Agenda Required.** Out-of-state travel requests must include a copy of the agenda for the travel requested.
- 15. Conditions for Law Enforcement.** In addition to the other conditions provided for in this Agreement, grants to law enforcement agencies are subject to the following:
- (a) **Certifications Required.**
- (i) **In-car Camera or Video System.** For any in-car camera or video system purchased under this contract, it is required that the operator of that equipment has successfully completed Standardized Field Sobriety Testing training (SFST). A copy of this certificate must be filed with GHSP prior to reimbursement of in-car camera or video systems.
- (ii) **Radar.** For any radar equipment purchased under this contract, it is required that the operator of that equipment has successfully completed Radar Certification Training. A copy of this certificate must be filed with GHSP prior to reimbursement of radar equipment.
- (iii) **Alcohol Screening Devices.** For any preliminary alcohol screening devices purchased under this contract, it is required that the operator of that equipment has successfully completed the Alcohol Screening Test Device training offered by the Forensic Test for Alcohol Branch.
- (b) **Report Required - Monthly Enforcement Data Report.** In addition to the reports mentioned above, law enforcement agencies engaging in enforcement activities must submit a Monthly Enforcement Data Report on the form provided by the Department no later than fifteen (15) days after the end of each month. If the Agency fails to submit a Monthly Enforcement Data Report or submits an incomplete Monthly Enforcement Data Report, the Agency will be subject to having cost reimbursement requests withheld. Once a Monthly Enforcement Data Report that substantiates adequate progress is received, cost reimbursement requests will be processed. The agency head must sign the form. However, the agency head may assign a designee to sign the form by providing written signature authority to the GHSP.
- 16. Conditions for Local Governmental Agencies.**
- (a) **Resolution Required.** If the Agency is a local governmental entity, a resolution from the governing body of the Agency is required on a form provided by the Department.
- (b) **Resolution Content.** The resolution must contain a commitment from the governing body to provide the local funds as indicated in this contract. Additionally, the resolution is required even if the funding is one hundred percent from federal sources, as it serves as recognition by the governing body of federal funding for purposes of Section A-6 above.
- 17. Seat Belt Policy and Use.** Agency must adopt and enforce a seat belt use policy required for all seating positions unless exempted by state law.
- 18. Text Messaging Policy.** Agency must adopt and enforce a policy banning text messaging while driving unless exempted by state law.
- 19. Prohibited Interests.** No member, officer, or employee of the Agency during his or her tenure, and for at least one (1) year thereafter, shall have any interest, direct or indirect, in this contract or the proceeds thereof or therefrom.
- 20. Continued Federal and State Funding.**
- (a) **Federal Funding.** The Agency agrees and understands that continuation of this project with Federal funds is contingent upon Federal funds being appropriated by the United States Congress specifically for that purpose. The Agency further agrees and understands that in the event funds originally

- appropriated by Congress for these grants are subsequently reduced by further acts of Congress, funding to the Agency may be proportionately reduced.
- (b) **State Funding.** The Agency agrees and understands that continuation of this project with funds from the State of North Carolina is contingent upon State funds being appropriated by the General Assembly specifically for that purpose. The Agency also agrees that any state funds received under this contract are subject to the same terms and conditions stated in this Agreement.
- 21. Performance.** All grants provided by the Governor's Highway Safety Program are performance-based and, as such, require that continual progress be made toward the reduction of the number and severity of traffic crashes. Any agency, whose performance is deemed unsatisfactory by the GHSP, shall be subject to the sanctions as provided for in this contract. Additionally, unsatisfactory performance shall be cause for the Department to reduce or deny future funding.
- 22. Resolution of Disputes.** Any dispute concerning a question of fact in connection with the work not disposed of by contract by and between the Agency and the Department, or otherwise arising between the parties to this contract, shall be referred to the Secretary of the North Carolina Department of Transportation and the authorized official of the Agency for a negotiated settlement. In any dispute concerning a question of fact in connection with the project where such negotiated settlement cannot be resolved in a timely fashion, the final decision regarding such dispute shall be made by the Secretary of the North Carolina Department of Transportation, with the concurrence of the Federal funding agency, and shall be final and conclusive for all parties.
- 23. Department Held Harmless.**
- (a) **For State Agencies.** Subject to the limitations of the North Carolina Tort Claims Act, the Agency shall be responsible for its own negligence and holds harmless the Department, its officers, employees, or agents, from all claims and liability due to its negligent acts, or the negligent acts of its subcontractors, agents, or employees in connection with their services under this contract.
- (b) **For Agencies Other Than State Agencies.** The Agency shall be responsible for its own negligence and holds harmless the Department, its officers, employees, or agents, from all claims and liability due to its negligent acts, or the negligent acts of its subcontractors, agents, or employees in connection with their services under this contract.
- 24. Records Access and Retention.** The Agency shall provide all information and reports required by the regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department, the State, NHTSA, or FHWA, as appropriate, to be pertinent to ascertain compliance with such regulations, orders and instructions. Furthermore, the Agency shall maintain such materials during the contract period, and for five (5) years from the date of final payment from the Department or until all audit exceptions have been resolved, for such inspection and audit. Where any information required of the Agency is in the exclusive possession of another who fails or refuses to furnish this information, the Agency shall so certify to the Department, State, NHTSA, or FHWA, as appropriate, and shall set forth what efforts it has made to obtain the information. Pursuant to N.C.G.S. §147-64.7, the Department, the State Auditor, appropriate federal officials, and their respective authorized employees or agents are authorized to examine all books, records, and accounts of the Agency insofar as they relate to transactions with any department, board, officer, commission, institution, or other agency of the State of North Carolina pursuant to the performance of this Agreement or to costs charged to this Agreement.
- 25. Sanctions for Non-Compliance.** The applicant Agency agrees that if it fails or refuses to comply with any provisions and assurances in this contract, the Department may take any or all of the following actions:
- (a) Cancel, terminate, or suspend this contract in whole or in part;
- (b) Withhold reimbursement to the Agency until satisfactory compliance has been attained by the Agency;
- (c) Refrain from extending any further funding to the Agency under this contract with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the Agency;
- (d) Refer the case to the United States Department of Justice for appropriate legal proceedings.
- 26. Cancellation, Termination, or Suspension of Contract.**
- (a) **By the Department.** For noncompliance with any of the said rules, regulations, orders or conditions, due to management deficiencies or criminal activity this contract may be immediately canceled, terminated, or suspended in whole or in part by the Department. For noncompliance not indicative of management deficiencies or criminal activity the Department shall give sixty (60) days written notice



- to take corrective action. If the Agency has not taken the appropriate corrective action after sixty (60) days the Department may cancel, terminate, or suspend this contract in whole or in part.
- (b) **By mutual consent.** The Agency or the Department may terminate this contract by providing sixty (60) days advanced written notice to the other party.
 - (c) **Unexpended funds.** Any unexpended funds remaining after cancelation or termination will revert to the Department.
- 27. Completion Date.** Unless otherwise authorized in writing by the Department, the Agency shall commence, carry on, and complete the project as described in the approved Highway Safety Project Contract by September 30 of the Federal fiscal year for which it was approved.
- 28. E-Verify requirements.** If this contract is subject to NCGS 143-133.3, the contractor and its subcontractors shall comply with the requirements of Article 2 of Chapter 64 of the NC General Statutes.
- 29. Certification of Eligibility Under the Iran Divestment Act.** Pursuant to G.S. 147-86.59, any person identified as engaging in investment activities in Iran, determined by appearing on the Final Divestment List created by the State Treasurer pursuant to G.S. 147-86.58, is ineligible to contract with the State of North Carolina or any political subdivision of the State. The Iran Divestment Act of 2015, G.S. 147-55 et seq. requires that each Agency, prior to contracting with the State certify, and the undersigned Agency Authorizing Official on behalf of the Agency does hereby certify, to the following:
- (a) that the Agency is not now and was not at the time of the execution of the Contract dated below identified on the Final Divestment List of entities that the State Treasurer has determined engages in investment activities in Iran;
 - (b) that the Agency shall not utilize on any contract with the State agency any subcontractor that is identified on the Final Divestment List; and
 - (c) that the undersigned Agency Authorizing Official is authorized by the Agency to make this Certification.
- 30. Agency Fiscal Year.** The end date for the Agency's fiscal year is June 30, 2026.
- 31. Signature.** By signing below, the Agency agrees to adhere to the terms and conditions of this Agreement.

AGENCY PROJECT DIRECTOR		
NAME Marcus Ricks	TITLE Region 6 LEL	ADDRESS 450 W. Pennsylvania Ave. Southern Pines, NC 28387
SIGNATURE 	DATE 10/7/2025	TELEPHONE NUMBER 910-692-2732
AGENCY AUTHORIZING OFFICIAL		
NAME Nicholas Polidori	TITLE Chief of Police	ADDRESS 450 W. Pennsylvania Ave. Southern Pines, NC 28387
SIGNATURE 	DATE 10/8/2025	TELEPHONE NUMBER 910-692-2732
AGENCY OFFICIAL AUTHORIZED TO RECEIVE FUNDS		
NAME Reagan D. Parsons	TITLE Town Manager	ADDRESS 125 SE Broad St. Southern Pines, NC 28387
SIGNATURE 	DATE 10/08/25	TELEPHONE NUMBER 910-692-7021

**North Carolina Governor's Highway Safety Program
 Agreement of Conditions – Addendum for FY2026 (10/1-2025 to 9/30/2026)**

This Agreement is made by and between the North Carolina Department of Transportation, hereinafter referred to as the "Department", to include the Governor's Highway Safety Program, hereinafter referred to as "GHSP"; and the applicant agency, for itself, its assignees and successors in interest, hereinafter referred to as the "Agency". During the performance of this contract, and by signing this contract, the Agency agrees as follows:

CERTIFICATION ON CONFLICT OF INTEREST

(applies to subrecipients as well as States)

GENERAL REQUIREMENTS

No employee, officer, or agent of a State or its subrecipient who is authorized in an official capacity to negotiate, make, accept, or approve, or to take part in negotiating, making, accepting, or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

1. The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents.
 - a. The code or standards shall provide that the recipient's officers, employees, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from present or potential subawardees, including contractors or parties to subcontracts.
 - b. The code or standards shall establish penalties, sanctions, or other disciplinary actions for violations, as permitted by State or local law or regulations.
2. The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

AGENCY PROJECT DIRECTOR			
NAME <i>Marcus Ricks</i>	TITLE <i>Region 6 LEA</i>	ADDRESS <i>450 W. Pennsylvania Ave Southern Pines, NC 28387</i>	
SIGNATURE <i>[Signature]</i>	DATE <i>10/7/2025</i>	TELEPHONE NUMBER <i>910-692-2732</i>	
AGENCY AUTHORIZING OFFICIAL			
NAME <i>Nicholas Blidari</i>	TITLE <i>Chief of Police</i>	ADDRESS <i>2150 W. Pennsylvania Ave Southern Pines, NC 28387</i>	
SIGNATURE <i>[Signature]</i>	DATE <i>10/8/2025</i>	TELEPHONE NUMBER <i>(910)692-2732</i>	
AGENCY OFFICIAL AUTHORIZED TO RECEIVE FUNDS			
NAME <i>Reagan D. Parsons</i>	TITLE <i>Town Manager</i>	ADDRESS <i>125 SE Broad St. Southern Pines NC 28387</i>	
SIGNATURE <i>[Signature]</i>	DATE <i>10/08/25</i>	TELEPHONE NUMBER <i>910-692-7021</i>	

Planning Staff Report

To: Reagan Parsons, Town Manager

From: James Broadwell, Planner II

Date: October 14, 2025

Item: **Clark Street Townhomes:** A request to rezone approximately 1.5 acres on Clark Street in order to develop 16 townhomes.

I. EXECUTIVE SUMMARY

Koontz Jones Design/V3, on behalf of Moore HL Properties, has submitted an application to rezone four parcels located between Midlothian Drive and Clark Street from RM-2 to a higher-density RM-1 CD with 15 proposed conditions. They have also submitted an application to subdivide the property in accordance with the requested zoning, if approved.

The site is 1.52-acres and currently has an abandoned building with mature trees around the perimeter. The site plan attached to this report shows the following:

1. 16 townhomes with voluntary architectural standards.
2. Reduced setbacks.
3. Surface parking or detached garages for units 8 of the 16 units.
4. A connection between Clark Street and Midlothian Drive using a 20' private drive.
5. Maximize tree preservation on the perimeter of the site.
6. Modified buffer landscaping to further preserve mature trees on the east side of the project.
7. Stormwater management using a combination of strategies.

The Planning Board unanimously recommended denial for reasons described in their written resolution that is attached to this report. Planning staff is maintaining a recommendation of approval for reasons described in the staff report, noting the neighborhood meeting that occurred after Planning Board that resulted in a design modification to the 20' private drive. The Town Council will need to make the following key decisions following a legislative public hearing:

1. Is the **increased density**, which is greater than the surrounding neighborhood, sufficiently mitigated via architectural design, landscaping, and tree preservation buffering? Is it therefore consistent with the Comprehensive Plan (policies 7.1 and 7.5), or is the site's density increase still incongruent with its surroundings?
2. Does the 20' **driveway accessing off of Midlothian Drive** present a safety concern that is not sufficiently addressed by the applicant?
3. Does the application sufficiently address plans for **stormwater management** at this stage of the approval process, keeping in mind that the engineering site plans required by the zoning will show the final detailed stormwater design?
4. Does allowing for the "**garage option**" shown on the rezoning plan leave too much uncertainty related to the final design?
5. Does the application sufficiently **conform to the 2040 Comprehensive Plan** and the policies in that document that are most applicable to the proposed type of development?

TABLE OF CONTENTS

- **Planning Board Review.....2**
- **Project Information and Overview.....3**
 - Proposed Conditions.....6
 - Imagry and Site Plans.....8
- **Staff Review.....11**
- **Attachments.....17**
- **Town Council Action.....18**

II. PLANNING BOARD RECOMMENDATION:

On August 21, 2025, the Town of Southern Pines Planning Board held a public hearing on application Z-05-25. Planning staff made a presentation on the plan, and explained staff's assessment on how the proposed conditional zoning district is consistent with the Comprehensive Plan and the criteria for approval. Following staff's comments, Trevor Hansen of Koontz Jones Design/V3, agent for the applicant, made a presentation to the Planning Board and provided an overview of the proposal.

Eight members of the public also spoke during the hearing. Those members of the public and the Planning Board discussed concerns with the applicant, which included unsafe conditions that adding an access onto Midlothian Drive would cause (given the narrow and steep nature of that street), the higher density of development, traffic impacts (noting the increased traffic volume in the neighborhood), and a potentially insufficient stormwater management plan.

For concerns surrounding the installation of an access onto Midlothian, the applicant cited that the fire code and need to provide ease of emergency access were the reasons behind needing to add the access. The applicant also stated they'd be willing to conduct an analysis of the turning radius a fire truck would require to turn in and out of Midlothian Drive, and continued to reiterate that this development would establish "missing-middle" housing in an appropriate area of town.

After closing the hearing, the board discussed public concerns and applicant comments. A motion was made that the proposed Conditional Zoning District is inconsistent with the 2040 Comprehensive Plan and the criteria under UDO §2.17.9—for the reasons set forth in Attachment I of staff report Z-05-25; the board then recommended denial of Z-05-25 to the Town Council with four primary reasons cited. The motion carried by a vote of 5-0. The board's four reasons reflect what they believed were issues not adequately addressed by the applicant, and therefore, make the proposal inconsistent with the Comprehensive Plan and rezoning criteria under UDO §2.17.9. The reasons are listed in the Planning Board Resolution in Attachment I of this staff report.

III. PROJECT INFORMATION

A. Physical

Addresses
510 Clark Street
PARID: 00032727

B. Property

Owner/Applicant
Travis Greene
Moore HL Properties,
Inc.
55 Walnut Creek Rd
Pinehurst, NC 28374

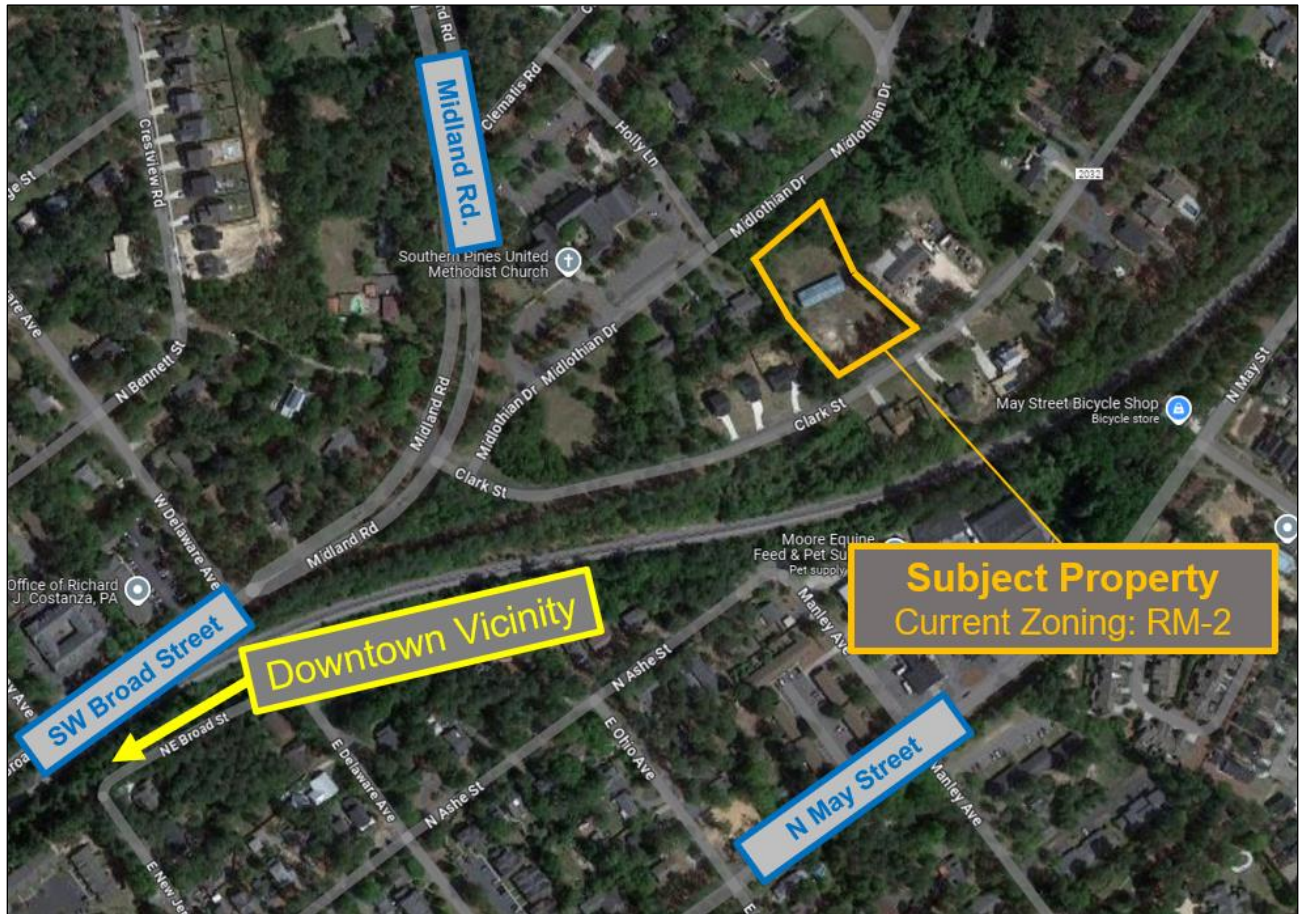
C. Authorized Agent

Trevor Hansen
Koontz Jones Design,
PLLC/V3
140 Applecross Rd, Ste B
Pinehurst, NC 28374

D. Existing Zoning

The subject property is presently zoned Residential Mixed Housing-2 (RM-2) and is within the High-Quality Watershed (see figure 1 below). A prior Major Subdivision application for the Clark Street Townhomes site, MAPP-02-24, was approved by the Town Council in October 2024. As part of the approval, a Watershed Protection Permit was granted for this site. For that reason, another 5/70 exemption will not be necessary to accompany this proposed Conditional Zoning District.

Figure 1. Zoning Vicinity Map (Subject Property Outlined in **Orange**).



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 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 areas.

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. New development should consider “missing middle” home choices—such as duplexes, quadplexes, townhomes, or cottage courts. New neighborhoods should also include a connected network of open space throughout the site. The “Map Category Crosswalk” is shown on the 2040 Comprehensive Plan pages 62 to 63, which includes RM-I as an appropriate rezoning category.

Character District Map Designation: Suburban Settlements. The Suburban Settlements Character District comprises a wide variety of suburban-style development, including shopping areas, single-family neighborhoods, and apartment complexes. The character district does not necessarily possess attributes that are unique to Southern Pines or represent distinct elements that future development should emulate. For that reason, new development in Suburban Settlements should look to the wider Comprehensive Plan for guidance when crafting design. Development should prioritize natural character preservation, infill development, mix-of-uses, “missing-middle housing,” buildings of varying heights, and pedestrian infrastructure.

F. Applicant’s Proposed Zoning District and Conditions

The development is intended to be a townhome community with shared common areas owned by a homeowners’ association. The applicant’s rezoning request is to Residential Mixed Housing-I Conditional District (RM-ICD), with RM-I being the town’s highest-density mixed residential option. The applicant’s narrative proposes 16 single-family attached units (LBCS 1112).

Since receiving the application, staff convened in a TRC meeting on August 5, 2025 to review the proposed conditions and site plan, corresponded with the applicant about the proposed design, and recommended adjustments to achieve the best overall outcome. The applicant’s proposed 15 conditions can be found in attachment 4 and in figure 2 below:

Figure 2. Applicant Provided List of Conditions.

Development Standards (Deviations from RM-1 Standards)
<ol style="list-style-type: none">1. Land uses shall be limited to LBCS 1112 single-family attached residences.2. There shall be no minimum lot size.3. Single-family attached townhome lots 5-11 with attached garages shall have a minimum 20' front setback, 10' exterior side setback, 5' interior side setback, and 15' rear setback.4. Single-family attached townhome lots 1-4 and 12-16 with detached garages and/or surface parking shall have a minimum 15' front setback, 10' exterior side setback, 10' interior side setback, and 15' rear setback.5. Surface parking and detached garages may encroach up to 15' into the 20' landscape buffer along the eastern property boundary.
Architecture
<ol style="list-style-type: none">6. Single-family attached townhomes will generally reflect the architectural style shown in the included elevation exhibits. The single-family attached townhomes shall incorporate depth and variety in articulation, design appearance, and color. Bump outs, porches, changing roof directions, variations in roofline, and/or design characteristics that achieve commensurate depth in design may be used to accomplish this standard.
Streets and Access
<ol style="list-style-type: none">7. Entrance to the site shall be provided by a shared private driveway through the project site, connecting Clark St and Midlothian Dr.8. The shared private drive shall have a 20' minimum width.9. The shared private drive shall serve as the main construction entrance for the site during construction. Construction traffic shall not be allowed onto Clark St or Midlothian Dr except for the installation of critical project elements that require work on the street.
Garages and Parking
<ol style="list-style-type: none">10. Lots 1-4 and 12-16 shall provide a maximum of two (2) parking spaces per unit as either two (2) surface parking spaces, or one (1) surface parking space and one (1) detached-garage space. (See alternate site plan labeled, "External Garage Option.")

Landscape Buffers

11. The west side yard buffer shall be 10' in width and be allowed to meander outside of the required buffer widths to obtain required calculations. The meandering planting layout will not reduce the required calculations of a 10' wide landscape buffer, per the Town's buffer requirement, section 4.3.4.
12. The east side yard buffer shall be 20' in width and be allowed to meander outside of the required buffer widths to obtain required calculations. The meandering planting layout will not reduce the required calculations of a 20' wide landscape buffer, per the Town's buffer requirement, section 4.3.4.

Stormwater

13. Stormwater management for the site shall meet pre/post requirements and be conducted via a combination of rain gardens, depressions, bioswales, underground cisterns, and/or retention ponds on each lot, within the common open space, or a combination of the two.

Existing Mature Tree Preservation

14. All existing trees, 6-inch diameter and greater, shall be retained within the subject property that do not interfere with the following project elements:
 - a. Building footprints
 - b. Vehicular access alleys, driveways, and parking spaces
 - c. Utility installation
 - d. Essential site grading
 - Trees identified by the developer and confirmed by Town Staff during site plan review as necessary for removal due to one of the approved reasons noted above may be removed.
 - Trees identified by the developer as unhealthy and at risk of dying, to be confirmed by the Town's Arborist during site plan review, may be removed.
 - Town staff will verify tree protection fence installation for trees counting toward existing vegetation credit under UDO §4.3.13; the developer may request a reduction in tree protection fence radius if needed, and Town staff shall grant these requests if the Town Arborist finds it will not significantly affect tree health and viability.
15. All existing trees within the Clark St and Midlothian Dr right-of-way that do not interfere with project access and utility installation shall be retained and protected as is practicable considering utility placement, grading, driveway, and stormwater structures.

Figure 3. Imagery of the Subject Property (Facing North).



Figure 4. Site Plan for the Proposed Z-05-25 Design, "Clark Street Townhomes."



Figure 5. Site Plan for the Proposed Z-05-25 Design, “Clark Street Townhomes” – “External Garage Option” (See Condition #10)



IV. STAFF REVIEW

Application Review Dates

Pre-Application Meeting: **June 24, 2025**

Application Submitted: **July 14, 2025**

Application Deemed Complete: **July 16, 2025**

Updated Materials Submitted: **August 8, 2025**

Updated Materials Submitted: **August 11, 2025**

Technical Review Committee Meeting: **August 5, 2025**

Planning Board Public Hearing Notice

Publication: **August 6 and 13, 2025**

Mail: **July 29, 2025**

Signage: **July 31, 2025**

Internet: **July 29, 2025**

Planning Board Public Hearing: **August 21, 2025**

Applicant Decision to Continue to October Town Council: **August 26, 2025**

Mail: **September 22, 2025**

Internet: **September 17, 2025**

Applicant-Led Neighborhood Meeting: **September 22, 2025**

Updated Materials Submitted: **October 1, 2025**

Town Council Legislative Hearing: **October 14, 2025**

I. Process and Standards of Review

UDO §2.17.9¹, Criteria for Zoning Map Amendments, and UDO §2.17.11, Conditional Zoning Districts, cover the procedures for review and approval of a Conditional Zoning District. The criteria for compliance with a Zoning Map Amendment are found in UDO §2.17.9 and apply to the review and approval of this Conditional Zoning District.

Additionally, UDO §2.17.11(G) notes that “*in approving a petition for the reclassification of property to a Conditional Zoning district, the petitioner, Planning Board and the Council may propose specific conditions to approval of the petition, but only those conditions approved by the Council and consented to by the petitioner in writing may be incorporated into the Conditional Zoning district.*”

2. Compliance with UDO §2.17.9, Zoning Map Amendment Criteria.

A Conditional Zoning District may only be permitted if the applicant demonstrates consistency with the following eight criteria (A through H). Below are staff comments regarding the applicant’s consistency with each:

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

(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.*

¹ When reviewing an application for rezoning, the hearing bodies (Planning Board and Town Council) shall consider the criteria as set forth in UDO §2.17.9. 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.

Missing-Middle Housing. See “2040 Comprehensive Plan designation for General Framework, Conservation and Development, and Character Districts” above for more information. The Clark Street and Midlothian Drive area is anticipated to provide traditional and missing-middle housing on varying lot sizes that include connected networks of open space sensitive to the uses, densities, location, and character of surrounding areas. The proposed Conditional Zoning District allows for 16 units of single-family attached housing, which is a higher density than the immediate surroundings, but still consistent with the wider district area; these uses at the proposed density are consistent with Comprehensive Plan policies 7.1 and 7.5—support housing diversity and workforce housing in the community.

Tree Preservation. The project also aims to maximize tree preservation throughout the site, as a significant number of mature trees are present, especially within the side buffer areas and along Clark Street and Midlothian Drive (see figures 3 and 6). The applicant’s condition #14 (see figure 2 above) will retain all trees, 6-inch diameter and larger, that do not interfere with building footprints, vehicular access and parking, utility installation, and essential site grading. Trees along Clark Street, in the buffers, and in the open space should be prioritized for preservation. This condition well aligns with Comprehensive Plan policies 4.9 and 4.10—preserve natural character and minimize tree loss during development.

Figure 6. Mature Trees Along Clark Street, Midlothian Drive, and Internal to the Site.





Side Buffers. The subject property is located in between RS-I zoning to the west, which requires a 10-foot buffer, and General Business zoning to the east, which requires a 20' buffer. As seen in figures 3 and 6, a large number of mature trees exist within or near to the buffers, and should be retained everywhere possible to be consistent with Criteria A and E, and Comprehensive Plan policies 4.9 and 4.10. The proposed conditions request, and the site plan shows, parking spaces that encroach into the 20' eastern side buffer. Staff find this deviation, pursuant to UDO §4.3.8, to be reasonable because the adjustment allows for the retaining of more mature trees on the southern end of the property. Moreover, the buffer area (marked in green) extends wider than 20' in other places and the buffer planting rate will remain consistent with UDO standards set in §4.3.4. The applicant's conditions #11 and 12 accurately reflect these specifications.

In conclusion, given the plan's consistency with Comprehensive Plan policies 7.1, 7.5, 4.9, and 4.10, staff assess that the development plan is consistent with the Comprehensive Plan, and therefore, §2.17.9 criteria A and E.

*(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.*

Lot Dimensional Standards. The applicant has proposed reduced lot and dimensional standards from the RM-I base standards; they are:

- No minimum lot sizes
- **Units 5-11 setbacks:** 20' (front), 10' (exterior side), 5' (interior side), and 15' (rear).
- **Units 1-4 and 12-16 setbacks:** 15' (front), 10' (exterior side), 10' (interior side), and 15' (rear).

Though the proposed density for this development is greater than the surrounding area,

staff do not assess that it presents a health or safety issue, as all buildings will maintain a minimum separation of 10 feet. Moreover, the 20-foot access easement ensures proper fire and emergency access to all of the proposed units.

Architectural Design. The applicant has provided renderings of the proposed townhomes (see figure 7 below and attachment 6). Additionally, in condition #6, more specific architectural standards are provided; the condition requires general consistency with the provided renderings, building articulation, and depth in design. With this added condition, staff assess the development design blend better with this Southern Pines neighborhood.

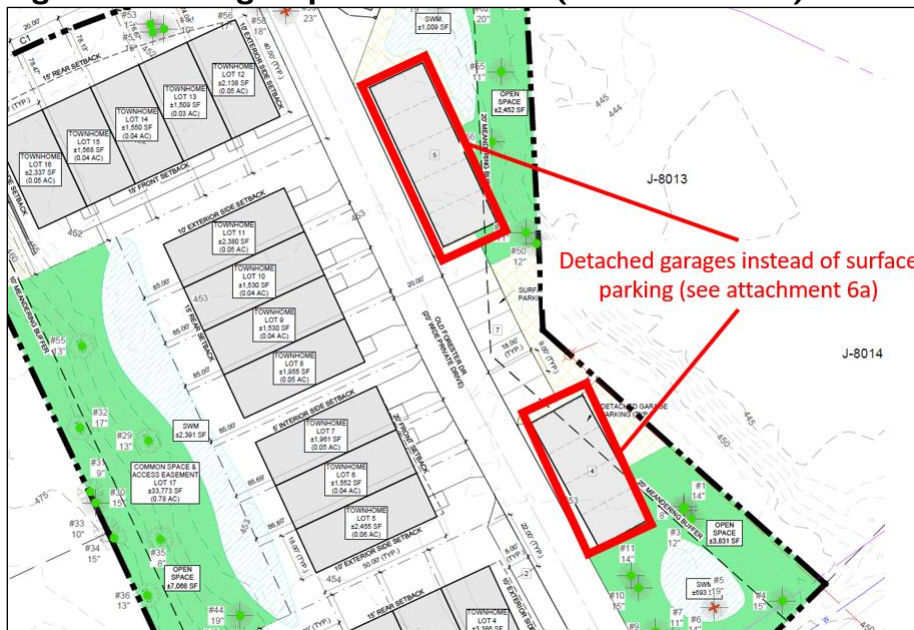
Figure 7. Applicant-Provided Architectural Renderings.



Parking and the “Garage Option” Site Plan. The site will be accessed via a 20’ right-of-way (Old Forester Drive); parking requirements will be met with surface spaces and one attached garage each for units 5-11 according to the site plan (see attachment 3).

However, the applicant has proposed that units 1-4 and 12-16 will have the option of employing one surface parking space and one detached garage per unit (see figure 8 and condition #11) or employing only surface parking; an alternate site plan known as the “garage option” has been provided as attachment 3a. After staff recommended adjusting the “garage option” site plan to not take out any additional trees compared to the primary site plan, the applicant adjusted the layout. Now that this adjustment has been made, staff do not find any issues with either site plan or approving the two site plan options.

Figure 8. “Garage Option” Site Plan (Attachment 3a).



Stormwater Control. The subject property’s topography shows that stormwater will drain generally from west to east across the property. Before connecting to existing stormwater infrastructure along Clark Street, the applicant has shown they’ll first meet stormwater control requirements via a combination of rain gardens, depressions, bioswales, underground cisterns, and/or a small retention pond. Given the creative stormwater control design and existing system the site will connect to, staff do not find that stormwater will pose an adverse impact to neighboring lands.

By sufficiently addressing dimensional standards, vehicular access, and stormwater control, staff do not find any significant adverse impacts on neighboring lands; furthermore, staff find the inclusion of a commitment to quality architecture will bolster this development’s consistency with its surroundings. Therefore, the application is consistent with this criterion.

- (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 is currently zoned RM-2, which permits a mixture of uses and residence types at the approximate rate of 5-7 units per acre. Considering the location, character district, proximity to downtown, and vicinity zoning, staff find that the site is suitable as currently zoned for small-scale development within RM-2 zoning parameters; however, it’s unsuitable as currently zoned to achieve a development product and density that optimizes existing conditions, quality design, Comprehensive Plan policy priorities, and community character. Therefore, the application is consistent with this criterion in that it attains a vision and housing density (of 10.53 units per acre) that balances the forenamed

variables associated with this site.

- (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.*

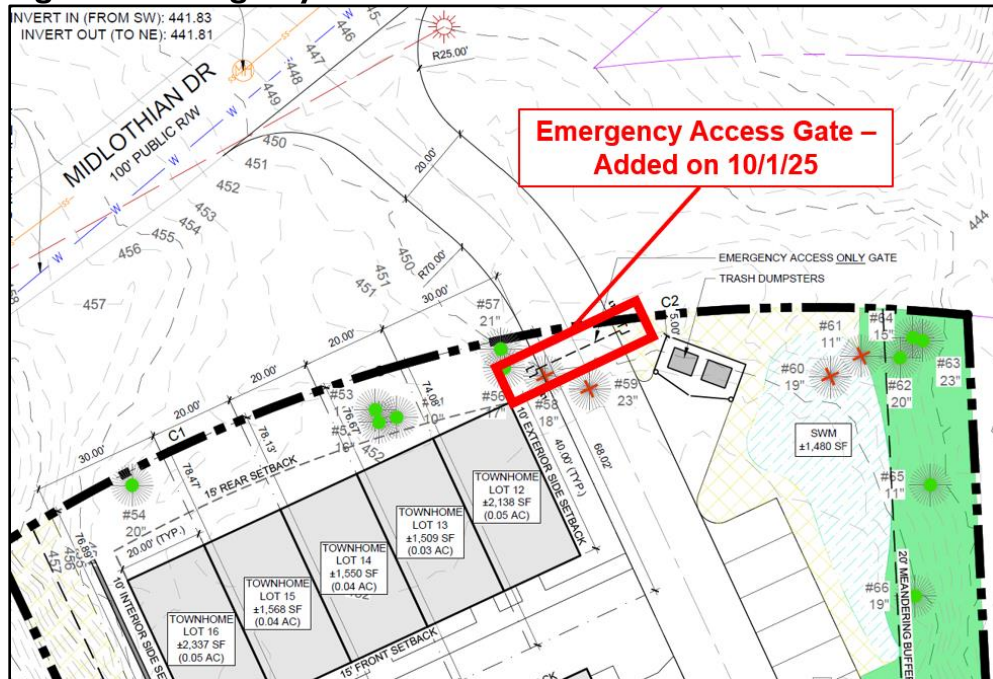
Construction Traffic. To mitigate any noise or disturbances nearby neighbors may experience, the applicant has included condition #9. The condition directs all construction traffic to use the shared 20' private drive during construction, and that Clark Street and Midlothian Drive may only be parked on when directly installing project elements in those locations on the north and south side.

Based on the application materials and staff analysis of the subject property and surrounding areas, staff find that health, safety, and welfare concerns have been properly addressed. The applicant's demonstrated effort to preserve natural character also aligns well with the preservation element of this criterion. Refining technical details will be addressed during site plan review with the Technical Review Committee to ensure compliance with all applicable ordinances. Therefore, staff find that the application is consistent with this criterion.

Emergency Access Gate. The August 21, 2025 Planning Board meeting revealed four main neighborhood concerns, one of which involved the safety of the proposed 20' private drive accessing off of Midlothian Drive. Due to the neighborhood concerns, the applicant held a neighborhood meeting on September 22, 2025 to better understand and attempt to address those concerns. The neighborhood meeting report, provided by the applicant, is attachment 7 of this staff report.

The change that resulted from that meeting was the addition of an emergency access gate on the site plan that will allow only emergency vehicles to access from Midlothian (via a siren or "knox" box) (see figure 9 below). This measure intends to prevent routine traffic from accessing Midlothian Drive and turning left on the subject portion's relatively steep grade. To meet fire code and emergency access requirements, and overall optimize the site's design, connecting the private drive to Midlothian Dr. is a necessary site component.

Figure 9. Emergency Access Gate – Added 10/1/25.



(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 Conditional Zoning application applies to four existing parcels, totaling approximately 1.52-acres. Staff find that the size of the tract is suitable for the proposed development plan. RM-1 zoning calls for 10-12 units per acre, and this development proposes a rate of 10.53 units per acre.

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

Staff have found that all relevant and notable factors to this proposed Conditional Zoning District have been sufficiently addressed by the other criteria under UDO §2.17.9.

(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 ranges 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 this rezoning application, and for the subsequent Major Subdivision Preliminary Plat, was emailed to agencies on July 29, 2025. Agencies notified include the Town of Southern Pines Streets, Public Works, Utilities, Fire, Recreation and Parks, and Engineering departments, the Regional Land Use Advisory Commission (RLUAC), the United States Fish and Wildlife Services (USFWS), the Moore County Airport, and the North Carolina Department of Transportation (NCDOT). Staff have received the following comments since:

- On August 11, 2025, NCDOT replied noting that the proposed 20' alley would need a driveway and right-of-way encroachment permit, otherwise no major concerns were noted.
- On August 11, 2025, the Fort Bragg Regional Land Use Advisory Commission (RLUAC) provided a review letter noting the importance of limiting impervious surface on the site, as it is within the high-quality watershed. Since the site already has a 5/70 exemption allocation, this concern has already been addressed.

The initial application was discussed with members of the Technical Review Committee (TRC) on August 5, 2025. The TRC noted a few minor issues that needed adjusting; topics included the “garage option” layout, the architectural condition, and the variation in buffer width; planning staff followed up with the applicant to recommend changes to their conditions list and site plan. The applicant subsequently submitted additional and revised materials on August 8 and 11, 2025. Any additional applicant, agency, or public comments received following this staff report’s publication, but prior to the public hearing, will be shared during staff’s presentation.

4. Staff Comment Recommendation

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

Staff recommend that the hearing bodies approve, with the applicant’s proposed site plans and conditions as written, the Residential Mixed Housing-I Conditional District as shown in attachments 3, 3a, and 4.

V. ATTACHMENTS

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

1. Planning Board Resolution.
2. Existing Conditions
3. Site Plan | 3a. Site Plan (external garage option)
4. Applicant's List of Conditions
5. Narrative
6. Architectural Elevations
7. Neighborhood Meeting Report (9-22-25)

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

VI. TOWN COUNCIL ACTION

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.

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

* * *

I move that after reviewing the proposed Conditional Zoning District and after considering the criteria for approval of zoning map amendments found in UDO §2.17.9:

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 Suburban Settlements Character District and the criteria set forth in the Town of Southern Pines Unified Development Ordinance §2.17.9.
2. 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 Suburban Settlements Character District and the criteria set forth in the Town of Southern Pines Unified Development Ordinance §2.17.9. Considering the revisions to the site plan and conditions list and the consistency with Comprehensive Plan policies 7.1, 7.5, 4.9, and 4.10, the proposed rezoning is generally consistent with the 2040 Comprehensive Plan. However, the following amendments to the proposed conditions and/or site plan are necessary to fully comply with the rezoning criteria under UDO §2.17.9 and/or the 2040 Comprehensive Plan:

a.

With the above listed amendments, the requested rezoning from RM-2 to RM-1 Conditional Zoning District is a reasonable request for the reasons mentioned above and within the staff report for application Z-05-25.

-OR-

3. The requested rezoning is inconsistent with the 2040 Comprehensive Plan and is not a reasonable request for the reasons set forth in the Planning Board resolution that is attached to the Planning department Staff Report:

a.

And, therefore, I move to:

1. Approve Z-05-25 with the conditions submitted by the applicant for the RM-1 Conditional Zoning District.

-OR-

2. Approve Z-05-25 with the following amendments made by the Town Council and accepted by the applicant:

-OR-

3. Deny Z-05-25.

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.



ATTACHMENT A

**PLANNING BOARD
RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION
FOR ZONING MAP AMENDMENT APPLICATION
Z-05-25**

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 August 21, 2025, to listen to public comments, ask questions of the Town’s planning staff, and consider zoning map amendment application #Z-05-25.

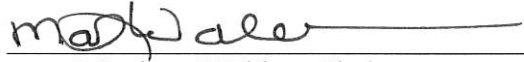
NOW, THEREFORE BE IT RESOLVED that the Planning Board finds and recommends to the Town Council that the proposed amendment to the Town of Southern Pines Zoning Map is not generally reasonable, in the public interest, or consistent with the criteria set forth in the Town of Southern Pines Unified Development Ordinance §2.17.9. The Planning Board recommends that the Town Council deny the zoning map amendment request with the Applicant’s 15 conditions for the subject property located between Clark Street and Midlothian Drive, identified as Parcel Identification Number 00032727, totaling 1.52-acres.

This area of Clark Street and Midlothian Drive is considered a Neighborhood area to be enhanced. 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 for 16 single-family attached dwellings (LBCS code 1112) at a density greater than the surrounding area, which is incongruent with the neighborhood character and may contribute to traffic volume that’s also inconsistent with the neighborhood. Next, adding a private access that connects to Midlothian Drive involves safety concerns given the steep grade of the subject portion of Midlothian Drive. Stormwater management, as depicted on the site plan, also appears inadequate to prevent unreasonable harm due to runoff on adjacent properties.

For these reasons, the application and the applicant's proposed conditions for a RM-1 Conditional Zoning District are not generally consistent with the 2040 Comprehensive Plan's vision.


The Planning Board recommends the Town Council deny this zoning amendment, file # Z-05-25, which would rezone the properties from RM-2 to RM-1CD (Conditional Zoning District).

ADOPTED this the 21st day of August, 2025.

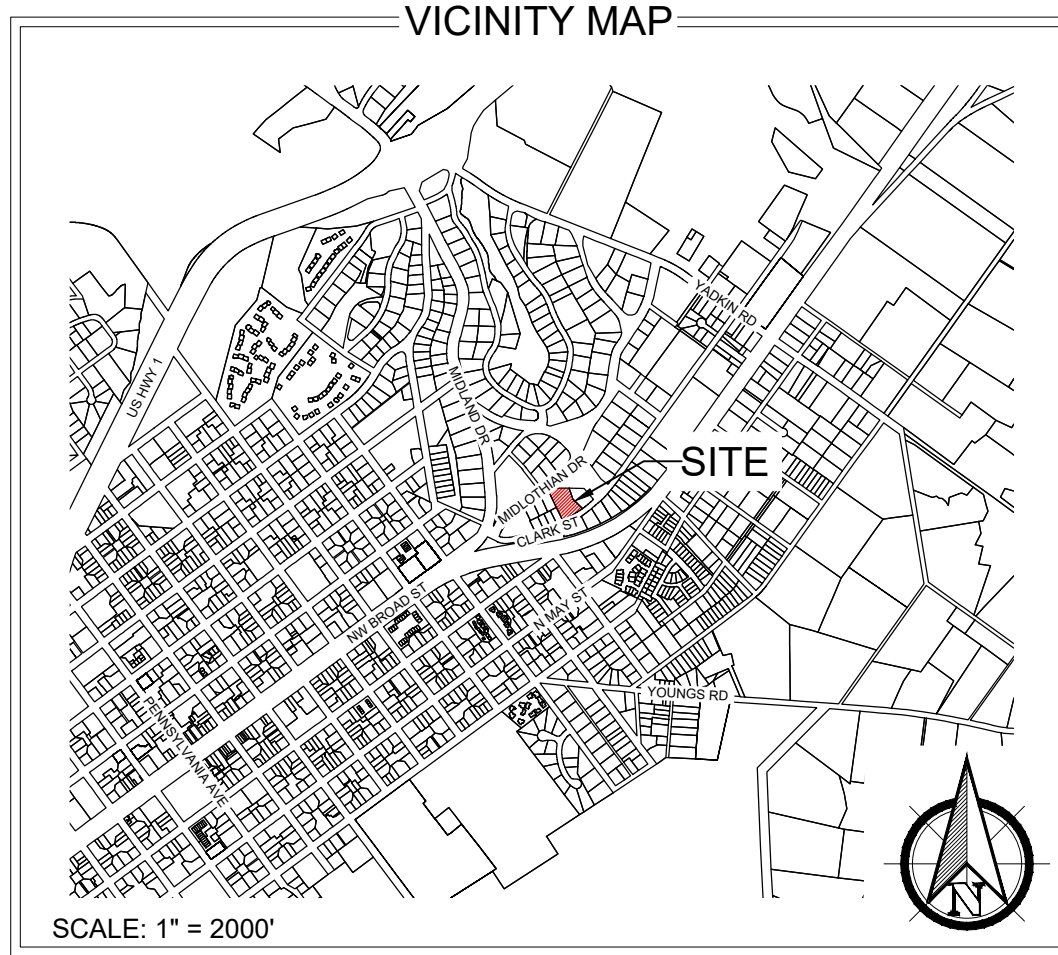


Matthew Walden, Chairperson

ATTEST:



Cindy Williams
Secretary to the Planning Board



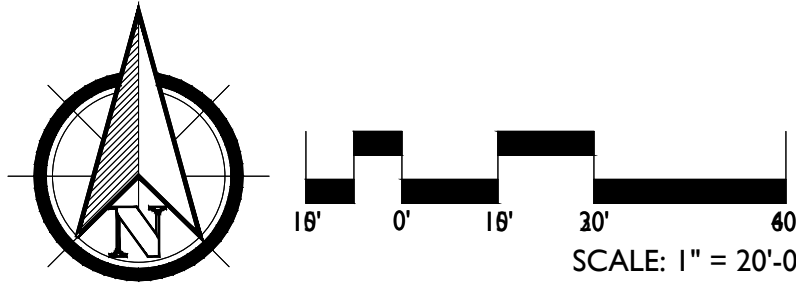
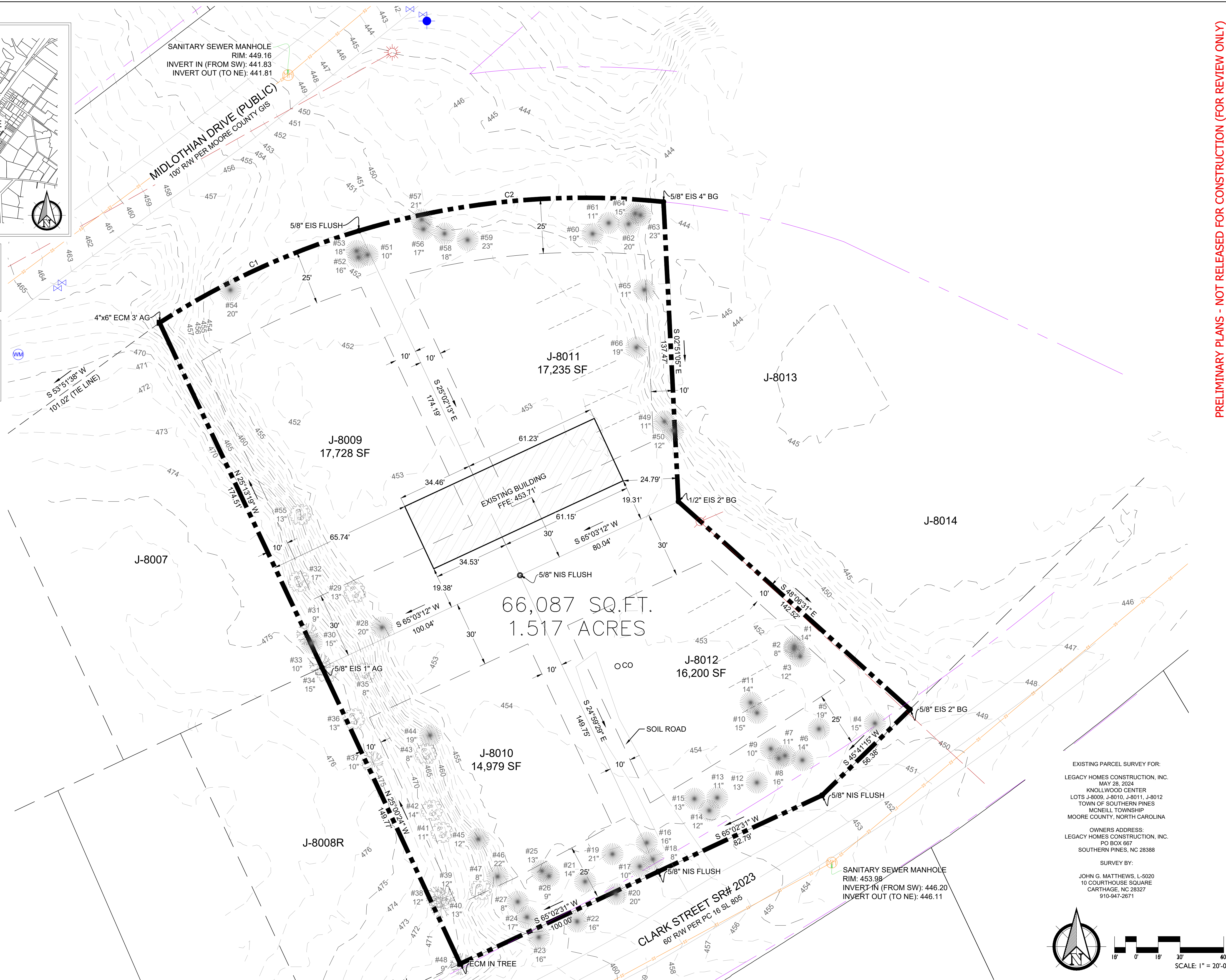
FLOODPLAIN DATA
 THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X'
 (AREAS OF MINIMAL FLOODING)
 THE LOCATION OF THE 100-YEAR FLOODPLAIN PER NFIP
 FIRM COMMUNITY
 PANEL(S) NO. 8580 / 8582
 MAP(S): 3710858000J / 3710858200J
 DATE: OCTOBER 17, 2006

ZONING INFORMATION
EXISTING ZONING CLASSIFICATION:
 RM-2 - RESIDENTIAL MULTI-FAMILY LOW DENSITY
SETBACKS:
 FRONT: 25'
 INTERIOR SIDE: 10'
 EXTERIOR SIDE: 15'
 REAR: 30'

PROPERTY INFORMATION
PROPERTY OWNER / APPLICANT:
 LEGACY HOMES CONSTRUCTION, INC.
PROPERTY ADDRESS:
 510 CLARK ST, SOUTHERN PINES, NC 28387
PARCEL ID: 00032727
PIN: 858219617079
DEED BOOK #: 5910
DEED PAGE #: 338

LEGEND
 - - - - - = PROPERTY BOUNDARY
 - - - - - = RIGHT OF WAY
 SS = SANITARY SEWER LINE
 W = WATER LINE
 - - - - - = ELECTRIC LINE
 - - - - - = EXISTING MAJOR CONTOUR
 - - - - - = EXISTING MINOR CONTOUR

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.



EXISTING PARCEL SURVEY FOR:
 LEGACY HOMES CONSTRUCTION, INC.
 MAY 28, 2024
 KNOLLWOOD CENTER
 TOWN OF SOUTHERN PINES
 MCNEILL TOWNSHIP
 MOORE COUNTY, NORTH CAROLINA
 OWNERS ADDRESS:
 LEGACY HOMES CONSTRUCTION, INC.
 PO BOX 667
 SOUTHERN PINES, NC 28388
 SURVEY BY:
 JOHN G. MATTHEWS, L-5020
 10 COURTHOUSE SQUARE
 CARTHAGE, NC 28327
 910-947-2671

CLARK STREET SR# 2023
 60' RW PER PC 16 SL 805

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

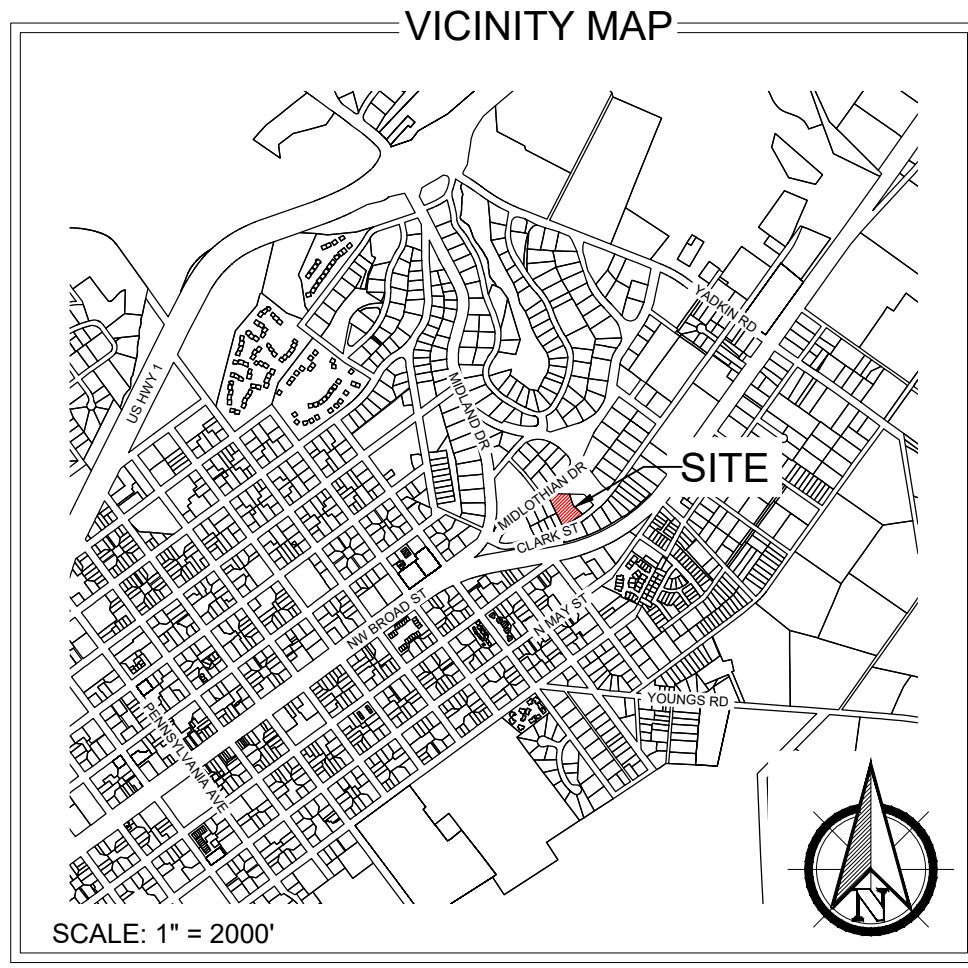
KOONTZ JONES DESIGN

140 APPLECROSS ROAD, SUITE B
 PINEHURST, NC 28374
 P: (910) 894-8487
 W: www.koontzjonesdesign.com

REVISIONS:

CLARK STREET TOWNHOMES
 SOUTHERN PINES, NORTH CAROLINA
EXISTING CONDITIONS PLAN

DATE: 2025-07-14
 DESIGNED BY: TWH
 DRAWN BY: DVM
 CHECKED BY: TWH
 Q.C. BY: REL
 PROJECT #: KJ022102
 SHEET NUMBER:
L-1.0



FLOODPLAIN DATA
 THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X' (AREAS OF MINIMAL FLOODING)
 THE LOCATION OF THE 100-YEAR FLOODPLAIN PER NFIP FIRM COMMUNITY PANEL(S) NO. 8580 / 8582 MAP(S): 3710858000J / 3710858200J DATE: OCTOBER 17, 2006

ZONING INFORMATION
PROPOSED ZONING CLASSIFICATION:
 CZ-RM-1 - RESIDENTIAL MIXED HOUSING
SETBACKS (EXTERNAL PARKING):
 FRONT: 15'
 INTERIOR SIDE: 10'
 EXTERIOR SIDE: 10'
 REAR: 15'
SETBACKS (FRONT LOADED):
 FRONT: 20'
 INTERIOR SIDE: 5'
 EXTERIOR SIDE: 10'
 REAR: 15'

PROPERTY INFORMATION
PROPERTY OWNER / APPLICANT:
 LEGACY HOMES CONSTRUCTION, INC.
PROPERTY ADDRESS:
 510 CLARK ST, SOUTHERN PINES, NC 28387
PARCEL ID: 00032727
PIN: 858219617079
DEED BOOK #: 5910
DEED PAGE #: 338

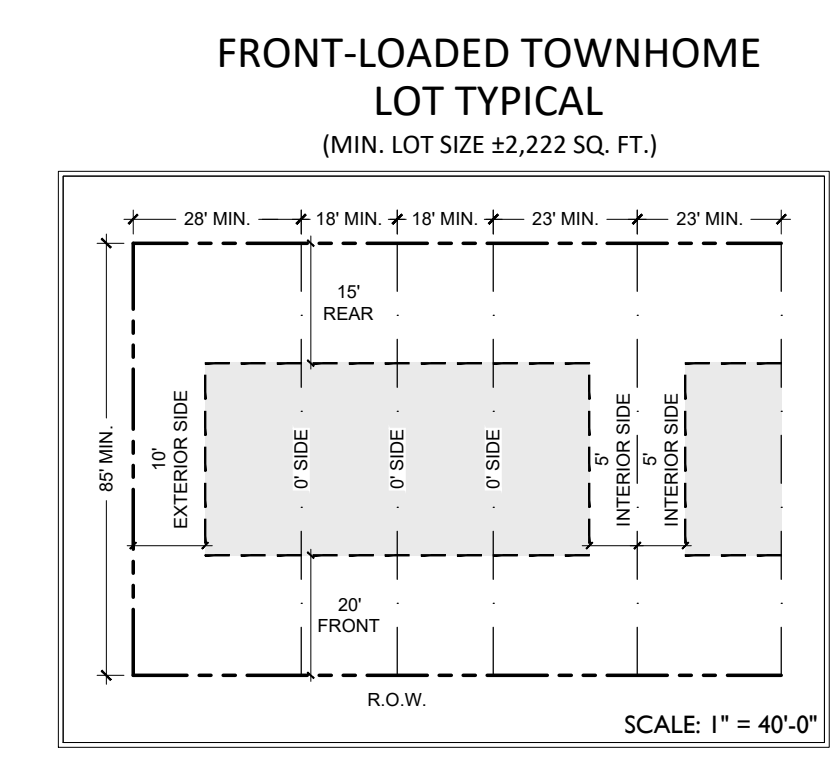
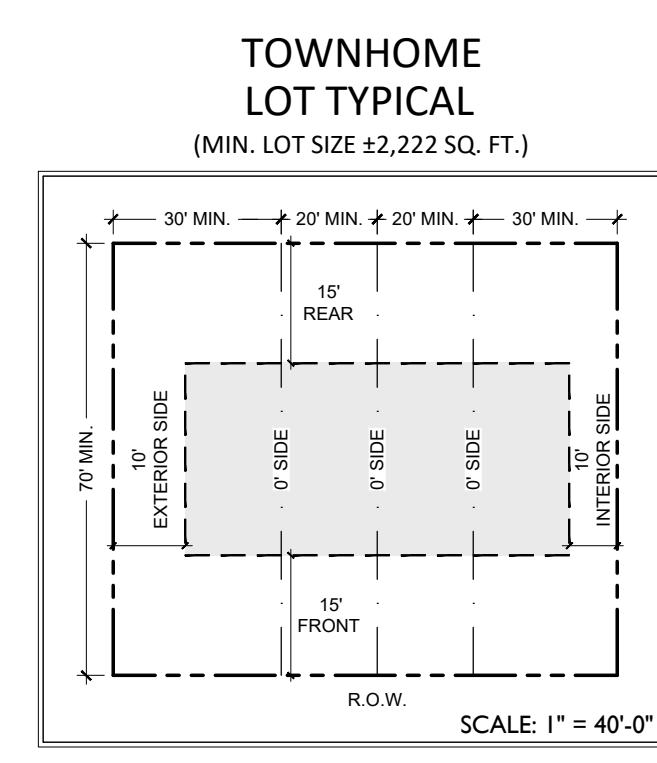
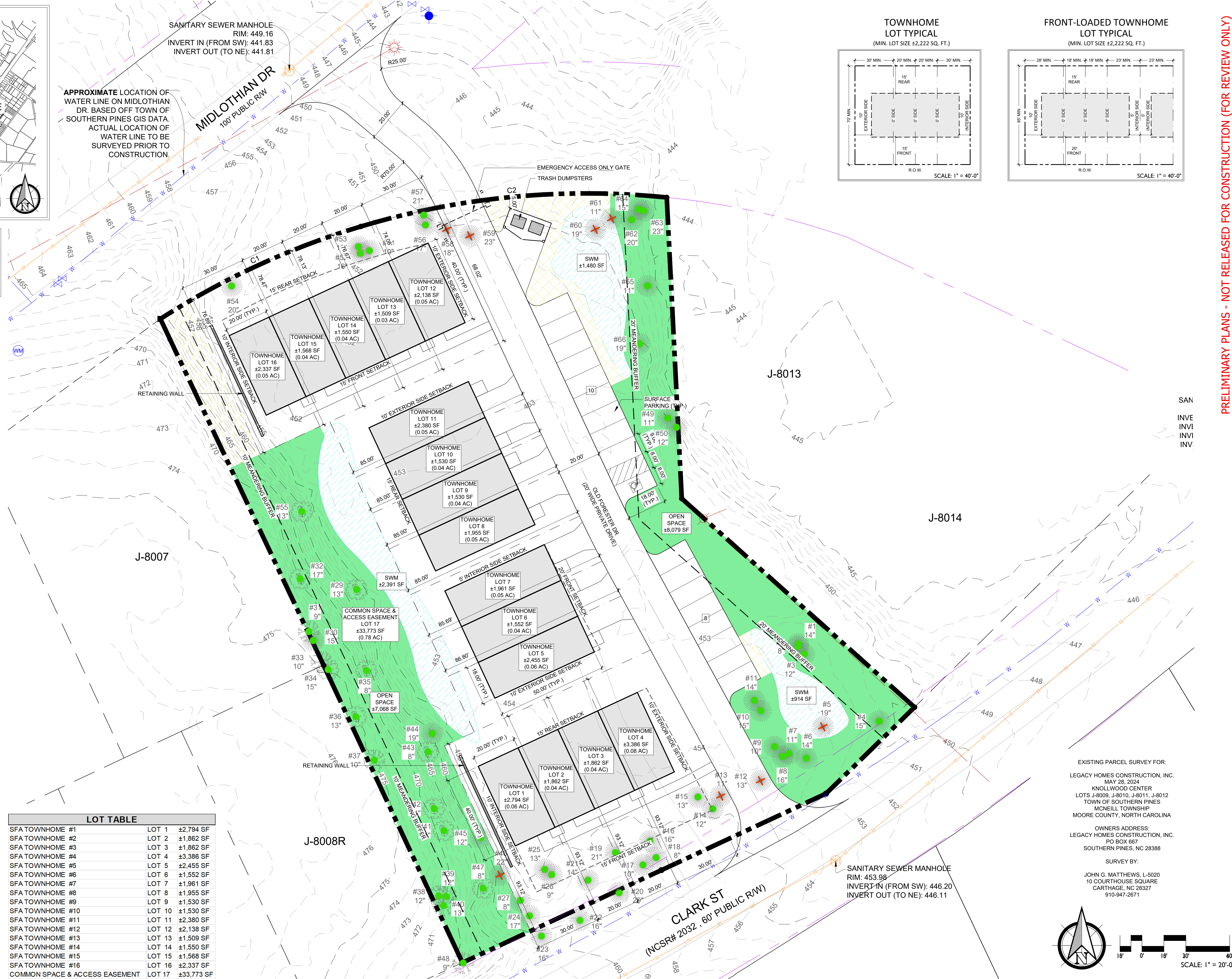
DEVELOPMENT SUMMARY

TOWNHOME LOTS (18' MIN. WIDTH X 85' MIN. DEPTH)	16 LOTS
COMMON SPACE & ACCESS EASEMENT	1 LOT
TOTAL SITE ACREAGE:	±1.52 AC 10.5 DUA
TOTAL OPEN SPACE REQUIRED:	6,621 SF ±0.15 AC 10.0%
TOTAL OPEN SPACE PROVIDED:	15,147 SF ±0.35 AC 22.9%
TOTAL IMPERVIOUS SURFACE PERMITTED:	94,587 SF ±2.17 AC 70.0%
TOTAL IMPERVIOUS SURFACE PROPOSED:	31,463 SF ±0.72 AC 47.5%
PARKING REQUIREMENTS: SINGLE FAMILY ATTACHED @ 2 SPACES/UNIT	
TOTAL PARKING REQUIRED:	32 SPACES
TOTAL PARKING PROVIDED:	32 SPACES

LEGEND

- = PROPERTY BOUNDARY
- - - = PARCEL BOUNDARY
- - - = SETBACK LINE
- - - = BUFFER LINE
- - - = BUFFER OF WAY
- - - = RIGHT OF WAY
- SS = SANITARY SEWER LINE
- W = WATER LINE
- = ELECTRIC LINE
- = EXISTING MAJOR CONTOUR
- = EXISTING MINOR CONTOUR
- = STORMWATER POND
- = OPEN SPACE
- = COMMON AREA

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)

KOONTZ JONES DESIGN

140 APPECROSS ROAD, SUITE B
 PINEHURST, NC 28374
 P: (910) 884-8487
 W: www.koontzjonesdesign.com

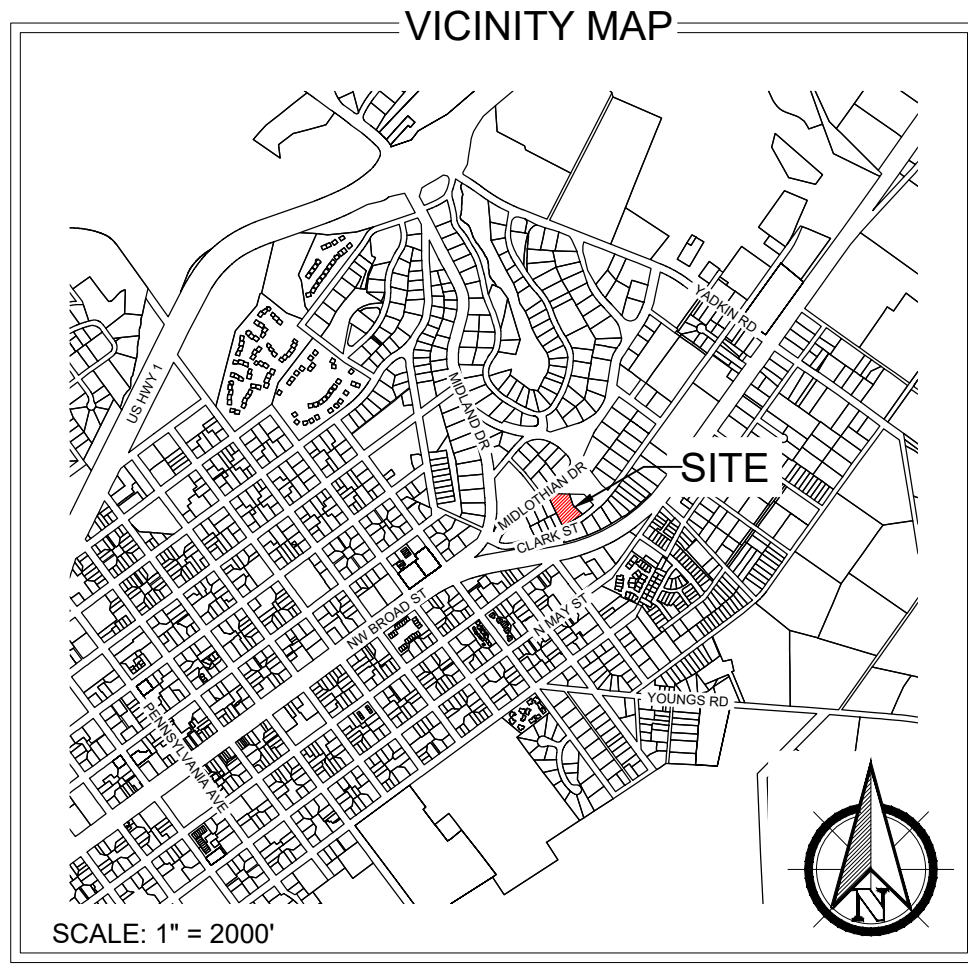
REVISIONS:

CLARK STREET TOWNHOMES
 SOUTHERN PINES, NORTH CAROLINA

PRELIMINARY PLAT

DATE: 2024.05.29
 DESIGNED BY: TWH
 DRAWN BY: DVM
 CHECKED BY: TWH
 Q.C. BY: REL
 PROJECT #: KJ022102

SHEET NUMBER:
L-1.1A



FLOODPLAIN DATA
 THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X' (AREAS OF MINIMAL FLOODING)
 THE LOCATION OF THE 100-YEAR FLOODPLAIN PER NFIP FIRM COMMUNITY PANEL(S) NO. 8580 / 8582 MAP(S): 3710858000J / 3710858200J DATE: OCTOBER 17, 2006

ZONING INFORMATION
PROPOSED ZONING CLASSIFICATION:
 CZ-RM-1 - RESIDENTIAL MIXED HOUSING
SETBACKS (EXTERNAL PARKING):
 FRONT: 15'
 INTERIOR SIDE: 10'
 EXTERIOR SIDE: 10'
 REAR: 15'
SETBACKS (FRONT LOADED):
 FRONT: 20'
 INTERIOR SIDE: 5'
 EXTERIOR SIDE: 10'
 REAR: 15'

PROPERTY INFORMATION
PROPERTY OWNER / APPLICANT:
 LEGACY HOMES CONSTRUCTION, INC.
PROPERTY ADDRESS:
 510 CLARK ST, SOUTHERN PINES, NC 28387
PARCEL ID: 00032727
PIN: 858219617079
DEED BOOK #: 5910
DEED PAGE #: 338

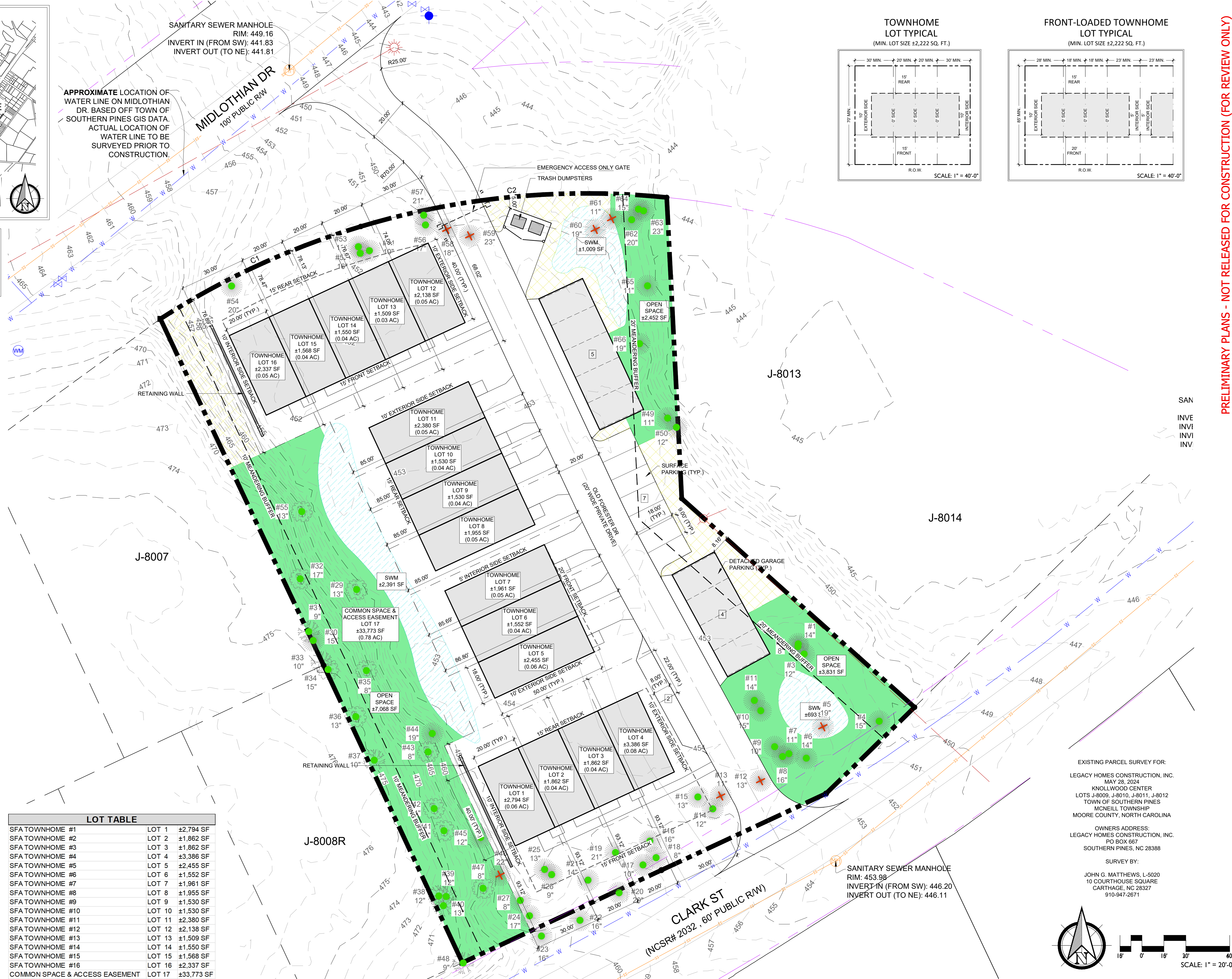
DEVELOPMENT SUMMARY

TOWNHOME LOTS (18' MIN. WIDTH X 85' MIN. DEPTH)	16 LOTS
COMMON SPACE & ACCESS EASEMENT	1 LOT
TOTAL SITE ACREAGE:	±1.52 AC 10.5 DUA
TOTAL OPEN SPACE REQUIRED:	6,621 SF ±0.15 AC 10.0%
TOTAL OPEN SPACE PROVIDED:	13,351 SF ±0.31 AC 20.2%
TOTAL IMPERVIOUS SURFACE PERMITTED:	94,587 SF ±2.17 AC 70.0%
TOTAL IMPERVIOUS SURFACE PROPOSED:	33,531 SF ±0.77 AC 50.5%
PARKING REQUIREMENTS: SINGLE FAMILY ATTACHED @ 2 SPACES/UNIT	
TOTAL PARKING REQUIRED:	32 SPACES
TOTAL PARKING PROVIDED:	32 SPACES

LEGEND

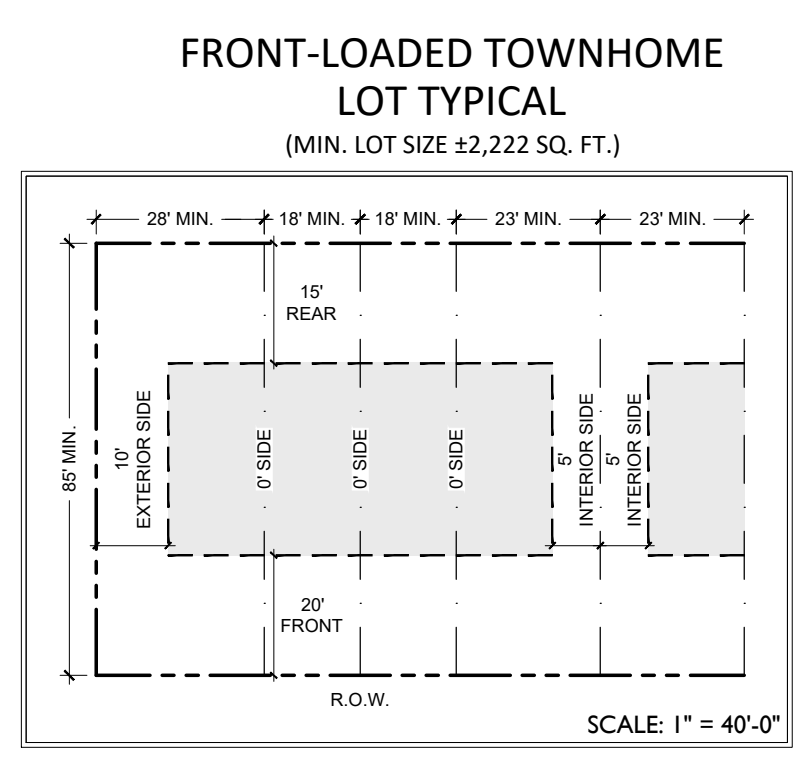
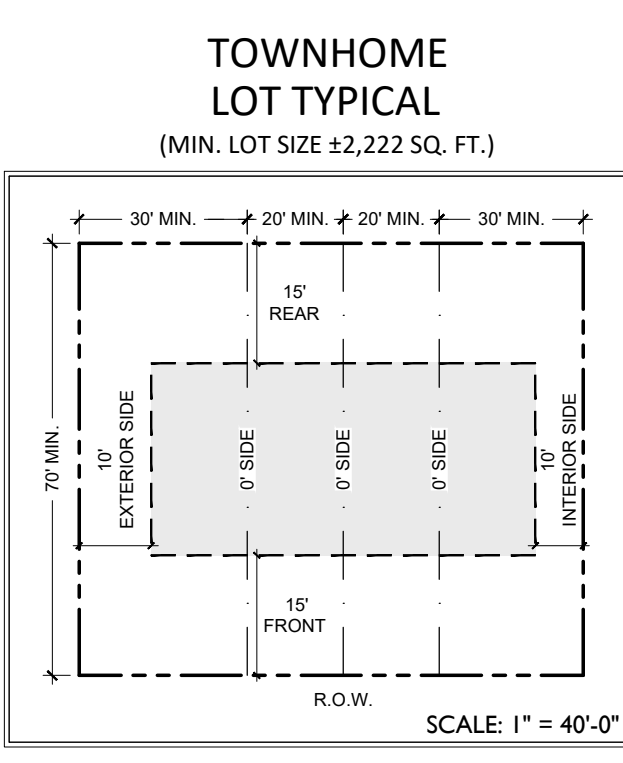
- = PROPERTY BOUNDARY
- = PARCEL BOUNDARY
- = SETBACK LINE
- = BUFFER LINE
- = BUFFER OF WAY
- = RIGHT OF WAY
- SS --- = SANITARY SEWER LINE
- W --- = WATER LINE
- = ELECTRIC LINE
- = EXISTING MAJOR CONTOUR
- = EXISTING MINOR CONTOUR
- = STORMWATER POND
- = OPEN SPACE
- = COMMON AREA

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

SFA TOWNHOME #	LOT #	SQ. FT.
SFA TOWNHOME #1	LOT 1	±2,794 SF
SFA TOWNHOME #2	LOT 2	±1,862 SF
SFA TOWNHOME #3	LOT 3	±1,862 SF
SFA TOWNHOME #4	LOT 4	±3,386 SF
SFA TOWNHOME #5	LOT 5	±2,455 SF
SFA TOWNHOME #6	LOT 6	±1,552 SF
SFA TOWNHOME #7	LOT 7	±1,961 SF
SFA TOWNHOME #8	LOT 8	±1,955 SF
SFA TOWNHOME #9	LOT 9	±1,530 SF
SFA TOWNHOME #10	LOT 10	±1,530 SF
SFA TOWNHOME #11	LOT 11	±2,380 SF
SFA TOWNHOME #12	LOT 12	±2,138 SF
SFA TOWNHOME #13	LOT 13	±1,509 SF
SFA TOWNHOME #14	LOT 14	±1,550 SF
SFA TOWNHOME #15	LOT 15	±1,568 SF
SFA TOWNHOME #16	LOT 16	±2,337 SF
COMMON SPACE & ACCESS EASEMENT	LOT 17	±33,773 SF



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

KOONTZ JONES DESIGN

140 APPLCROSS ROAD, SUITE B
 PINEHURST, NC 28374
 P: (910) 884-8487
 W: www.koontzjonesdesign.com

REVISIONS:

REVISIONS:

REVISIONS:

CLARK STREET TOWNHOMES
 SOUTHERN PINES, NORTH CAROLINA

PRELIMINARY PLAT - EXTERNAL GARAGES OPTION

EXISTING PARCEL SURVEY FOR:
 LEGACY HOMES CONSTRUCTION, INC.
 MAY 28, 2024
 KNOLLWOOD CENTER
 TOWN OF SOUTHERN PINES
 MCNEILL TOWNSHIP
 MOORE COUNTY, NORTH CAROLINA

OWNERS ADDRESS:
 LEGACY HOMES CONSTRUCTION, INC.
 PO BOX 667
 SOUTHERN PINES, NC 28388

SURVEY BY:
 JOHN G. MATTHEWS, L-5020
 10 COURTHOUSE SQUARE
 CARTHAGE, NC 28327
 910-947-2671

DATE: 2024.05.29
 DESIGNED BY: TWH
 DRAWN BY: DVM
 CHECKED BY: TWH
 Q.C. BY: REL
 PROJECT #: KJ022102

SHEET NUMBER:
L-1.1A

CLARK ST TOWNHOMES CZD-RM-1
EXHIBIT - LIST OF CONDITIONS

Development Standards (Deviations from RM-1 Standards)

1. Land uses shall be limited to LBCS 1112 single-family attached residences.
2. There shall be no minimum lot size.
3. Single-family attached townhome lots 5-11 with attached garages shall have a minimum 20' front setback, 10' exterior side setback, 5' interior side setback and 15' rear setback.
4. Single-family attached townhomes lots 1-4 and 12-16 with detached garages and/or surface parking shall have a minimum 15' front setback, 10' exterior side setback, 10' interior side setback and 15' rear setback.
5. Surface parking and detached garages may encroach up to 15' into the 20' landscape buffer along the eastern property boundary.

Architecture

6. Single-family attached townhomes will generally reflect the architectural style shown in the included elevation Exhibits. The single-family attached townhomes shall incorporate depth and variety in articulation, design appearance, and color. Bump outs, porches, changing roof directions, variations in roofline, and/or design characteristics that achieve commensurate depth in design may be used to accomplish this standard.

Streets and Access

7. Entrance to the site shall be provided by a shared private driveway through the project site, connecting Clark St and Midlothian Dr.
8. The shared private drive shall have a 20' minimum width.
9. The shared private drive shall serve as the main construction entrance for the site during construction. Construction traffic shall not be allowed onto Clark St or Midlothian Dr except for the installation of critical project elements that require work on the street.

Garages and Parking

10. Lots 1-4 and 12-16 shall provide a maximum of two (2) parking spaces per unit as either two (2) surface parking spaces, or one (1) surface parking space and one (1) detached-garage space. (See alternate site plan labeled, "External Garage Option.")

Landscape Buffers

11. The west side yard buffer shall be 10' in width and be allowed to meander outside of the required buffer widths to obtain required calculations. The meandering planting layout will not reduce the required calculations of a 10' wide landscape buffer, per the Town's buffer requirements, Section 4.3.4.

12. The east side yard buffer shall be 20' in width and be allowed to meander outside of the required buffer widths to obtain required calculations. The meandering planting layout will not reduce the required calculations of a 20' wide landscape buffer, per the Town's buffer requirements, Section 4.3.4.

Stormwater

13. Stormwater management for the site shall meet pre/post requirements and be conducted via a combination of rain gardens, depressions, bioswales, underground cisterns, and/or retention ponds on each lot, within the common open space, or a combination of the two.

Existing Mature Tree Preservation

14. All existing trees, 6-inch diameter and greater shall be retained within the subject property that do not interfere with the following project elements:
 - a. Building footprints
 - b. Vehicular access alleys, driveways, and parking spaces
 - c. Utility installation
 - d. Essential site grading
 - Trees identified by the developer and confirmed by Town Staff during site plan review as necessary for removal due to one of the approved reasons noted above may be removed.
 - Trees identified by the developer as unhealthy and at risk of dying, to be confirmed by the Town's Arborist during site plan review, may be removed.
 - Town staff will verify tree protection fence installation for trees counting toward existing vegetation credit under UDO Section 4.3.13; the developer may request a reduction in tree protection fence radius if needed, and Town staff shall grant these requests if the Town Arborist finds it will not significantly affect tree health and viability.
15. All existing trees within the Clark St and Midlothian Dr right-of-way that do not interfere with project access and utility installation shall be retained and protected as is practicable considering utility placement, grading, driveway, and stormwater structures.

**CLARK ST TOWNHOMES
CONDITIONAL DISTRICT NARRATIVE**

The development of the property located at 510 Clark St is presented for the purposes of the Town Council Hearing and subsequent site plan submittals and review. The proposed development, “Clark St Townhomes,” is planned to be a new infill community with a mixture of “missing middle” housing options and development patterns near downtown Southern Pines. The ±1.52-acre site situated between Clark St and Midlothian Dr, approximately 0.18 miles from Midland Rd, is comprised of one (1) parcel zoned Residential Mixed-Housing (RM-2). The Applicant is seeking to rezone the tract to a Conditional District Residential Mixed Housing (CZ-RM-1), known as “Clark Street Townhomes” that will allow a combination of single-family attached townhomes with attached garages and single-family attached townhomes with detached garages and surface parking. 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 eighteen (18) residential units on the property.

Our original submittal proposed a site plan for a development pattern that included eight (8) single family attached townhomes. The units were serviced by an internal driveway connecting to Clark St. Despite a thoughtful and well-intentioned vision for the proposed development, a detailed analysis of the site has revealed that the associated development costs would be too excessive to provide affordable “missing middle” housing opportunities. Several key factors contributed to this financial challenge, including topographical constraints, the need for extensive grading, utility extension requirements, stormwater management demands, and infrastructure improvements necessary to meet code and accessibility standards.

As a result, the cumulative site preparation and improvement costs significantly exceeded what could be reasonably supported by the originally proposed development pattern. In particular, the density and unit types envisioned in the prior plan did not generate the financial feasibility required to offset these costs. Given these conditions, it became clear that offering truly attainable housing options—one of the primary goals of the 2040 Comprehensive Plan—would not be possible within the constraints of the original approach. Any attempt to proceed with the initial plan would have required either drastically increasing home prices or reducing the quality and accessibility of housing, both of which are misaligned with the project’s intent and community needs.

For these reasons, a reevaluation of the development strategy was necessary to explore alternative patterns that balance feasibility with affordability and long-term sustainability.

The revised Clark St Townhomes Conditional Zoning District application proposes a “Traditional Neighborhood” style development with sixteen (16) single-family attached residential townhomes distributed between four (4) townhome blocks. All residences will be accessed via a shared private driveway connected to Clark St and Midlothian Dr. The layout and design are consistent with the Town’s 2040 Comprehensive plan, providing “missing middle” housing options for prospective owners at a scale

that is compatible with the surrounding 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 “Suburban Settlement” development pattern recommended for this area, per the Town’s 2040 Comprehensive Plan.

The property falls within a high-quality watershed and there is no floodplain. As a result, a watershed protection permit application that was submitted and approved in the previous preliminary plat will need to be utilized. Overall, the impervious surface to be developed on the property will fall well below the permitted 70%. This site is a residential infill location in the Suburban Settlement 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 Clark St Townhomes CZD-RM-1 district which will subdivide the project site into sixteen (16) single-family attached townhome lots and one (1) common area lot. Due to the unique conditions of the project site, 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:
 - Land uses shall be limited to LBCS 1112 single-family attached residences.
 - There shall be no minimum lot size.
 - Single-family attached townhome units with a detached garage and/or parking spaces shall have a minimum 15’ front setback, 10’ side setback and 15’ rear setback.
 - Single-family attached townhome units with attached garages shall have a 5’ internal side setback.

- **Architectural Character**

- The single-family attached townhomes will be designed to fit the Suburban Settlement Character District descriptions. All buildings are intended to both complement and add to the surrounding neighborhood. The project is also intended to be visually appealing from Clark St.

- **Single-Family Attached Townhomes**

- The proposed plan includes sixteen (16) single-family attached townhome units divided between four townhome blocks. The units will have a mixture of 2 and 3 bedrooms.
- The single-family attached townhomes shall be permitted to have up to two (2) stories and will not exceed the Town’s standards of RM-1 District forty (40) feet maximum building height.
- Due to the proximity to the Downtown Adjacent Neighborhood Character District, the townhomes will be designed to reflect both the townhome architecture found within the Suburban Settlement and Downtown Adjacent Neighborhood Character Districts in

Southern Pines. Architectural Elevation exhibits of the townhomes have been provided with the application. The townhome units will generally reflect the architectural style shown in these elevations and will be of a varied design style and color.

- **Streets and Access**

- o All units will be accessed via a shared private driveway that cuts through the entire site with connecting entrances from Clark St and Midlothian Dr.

- **Garages and Parking**

- o Adequate parking will be provided on-site to meet UDO standards for single-family residences.
- o The community will have a combination of surface parking, carports, and/or enclosed garages 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
1 and 2 Family residences	2 spaces per Dwelling Unit

- o Lots 1-4 and 12-16 shall provide a maximum of two (2) parking spaces per unit as either two (2) surface parking spaces, or one (1) surface parking space and one (1) detached-garage space.
- o Lots 5-11 shall provide a maximum of two (2) parking spaces per unit as one (1) driveway parking space and one (1) attached-garage space.
- o Surface parking and detached garages may encroach into required buffers to yield minimum parking requirements.

- **Buffers/Setbacks**

- o Unless noted as a condition below, all buffers and setbacks will be provided per the minimum RM-1 district standards.
 - Deviations to the Town UDO dimensional standards for the proposed Conditional Zoning District are as follows:

Dimensional Requirements Table			
	Type	Requirement	Requested Condition
1	Building Height, Setbacks, and Lot Dimensions Exhibit 3-6	SFA w/o Garage Front Setback 25'	SFA w/o Garage Front Setback 15'
2	Building Height, Setbacks, and Lot Dimensions Exhibit 3-6	SFA w/ Garage Front Setback 25'	SFA w/ Garage Front Setback 20'
3	Building Height, Setbacks, and Lot Dimensions Exhibit 3-6	Rear Setback 30'	Rear Setback 15'

4	Building Height, Setbacks, and Lot Dimensions Exhibit 3-6	Exterior Side Setback 15'	Exterior Side Setback 10'
5	Building Height, Setbacks, and Lot Dimensions Exhibit 3-6	SFA w/ Garage Interior Side Setback 10'	SFA w/ Garage Interior Side Setback 5'

- **Landscape Buffer**

- Landscaping will be provided as required by the Town of Southern Pines UDO.
- Planting buffers and screening will be provided along adjacent property boundaries where necessary and required by the Town’s UDO.
- The side yard landscape buffer along the western property shall be ten (10) ft in width and be allowed to meander outside of required buffer widths to obtain required calculations.
 The side yard buffer along the eastern property shall be twenty (20) ft in width and be allowed to meander outside of required buffer widths.
- In tighter areas where there is limited space for required plantings, “double counting” of landscape buffer large trees and street trees shall be allowed.

- **Existing Mature Vegetation**

- All existing trees with a diameter of 10” DBH or greater shall be retained on the subject property unless their removal is necessary to accommodate the following project elements:
 - Building footprints
 - Vehicular access alleys, driveways, and parking spaces
 - Utility installation
 - Essential site grading
- Trees identified by the developer and confirmed by Town Staff during site plan review as necessary for removal due to one of the approved reasons noted above may be removed.
- Trees identified by the developer as unhealthy and at risk of dying, to be confirmed by the Town’s Arborist during site plan review, may be removed.
- All existing trees within the right-of-way that do not interfere with project access and utility installation shall be retained.
- Town staff will verify tree protection fence installation for trees counting toward existing vegetation credit under UDO §4.3.13; the developer may request a reduction in tree protection fence radius if needed, and Town staff shall grant these requests if the Town Arborist finds it will not significantly affect tree health and viability.

- **Open Space and Common Areas**

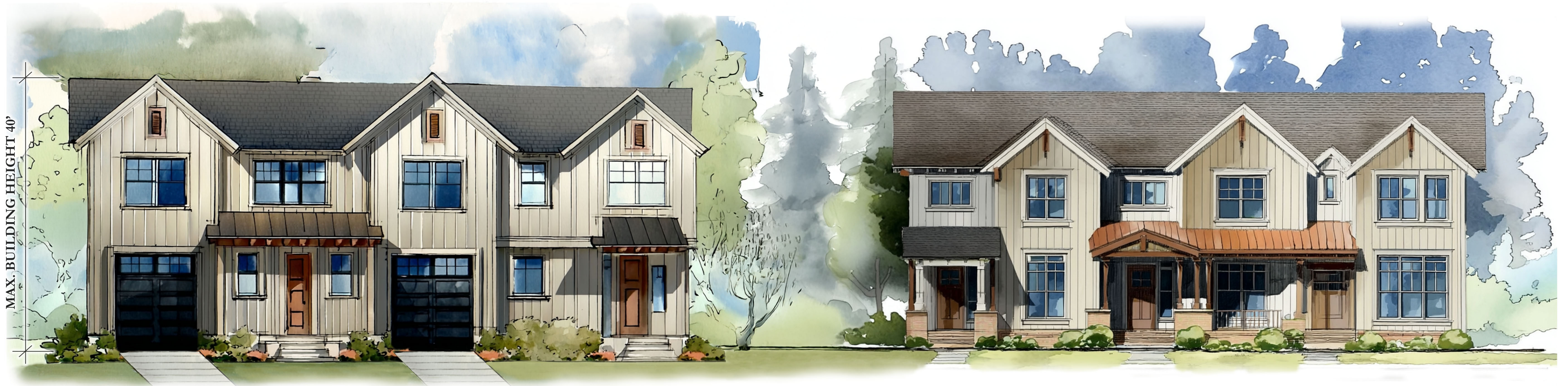
- All major subdivision developments require 10% open space. The development will provide approximately ±22.9% (± 0.35 acres) of open space as indicated on the site plan. This open space will be in buffer areas on the eastern and western sides of the project site. These areas shall meet the Town’s standards for Open Space calculation, per Section 4.9 of the UDO.

- **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 managed 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 management for the site shall meet pre/post requirements and be conducted via a combination of rain gardens, depressions, bioswales, underground cisterns, and/or retention ponds on each lot, within the common open space, or a combination of the two.
- **Utility Service**
 - The Town of Southern Pines can provide adequate water and sewer service to service this development. Utilities are currently within 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.

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 has been provided with this application.

CLARK STREET TOWNHOMES

SINGLE-FAMILY ATTACHED TOWNHOMES
ARCHITECTURAL CHARACTER
SOUTHERN PINES, NORTH CAROLINA



FRONT LOADED TOWNHOME

REAR LOADED TOWNHOME

PREPARED BY:
 KOONTZ
JONES
DESIGN

+
 SOUTHEAST

DISCLAIMER:
THESE DRAWINGS ARE CONCEPTUAL IN NATURE AND IS FOR ILLUSTRATIVE PURPOSES ONLY. THESE
PLANS/ELEVATIONS ARE SUBJECT TO CHANGE.

Planning Staff Report

To: Reagan Parsons, Town Manager

From: James Broadwell, Planner II

Date: October 14, 2025

Item: **Clark Street Townhomes Major Subdivision:** Request to subdivide 1.5 acres on Clark Street to develop 16 townhomes.

I. EXECUTIVE SUMMARY

Koontz Jones Design/V3, on behalf of Moore HL Properties, has submitted an application to subdivide four parcels located between Midlothian Drive and Clark Street into 16 townhome lots and one common area lot. This Major Subdivision is immediately preceded by a Conditional Zoning District application to rezone the property from RM-2 to RM-1(CD), and is fully contingent upon the Conditional Zoning's approval.

The site is 1.52-acres and currently has an abandoned building with mature trees around the perimeter. The preliminary plat attached to this report shows the following:

1. 16 townhomes with voluntary architectural standards.
2. Reduced setbacks.
3. Surface parking or detached garages for units 8 of the 16 units.
4. A connection between Clark Street and Midlothian Drive using a 20' private drive.
5. Maximize tree preservation on the perimeter of the site.
6. Modified buffer landscaping to further preserve mature trees on the east side of the project.
7. Stormwater management using a combination of strategies.

The Planning Board unanimously recommended denial of the preceding Conditional Zoning District application for reasons described in this report. Planning staff is maintaining a recommendation of approval for the Conditional Zoning District for reasons described in the staff report; therefore, staff are also maintaining a recommendation of approval for this Major Subdivision, and assess that all of the Major Subdivision approval criteria are met.

If the Town Council approves the Clark Street Townhomes Conditional Zoning District, staff do not find any technical issues in this Major Subdivision file that need resolving (as the preliminary plat entirely matches the Conditional Zoning District's site plan). For that reason, staff do not find that any specific decision points pertain to this file that differ from the preceding Conditional Zoning District file.

TABLE OF CONTENTS

- **Planning Board Preliminary Forum.....2**
- **Project Information and Overview.....3**
 - Imagery.....5
 - Preliminary Plats.....6
- **Staff Review.....8**
- **Attachments.....13**
- **Town Council Action.....13**

II. PLANNING BOARD PRELIMINARY FORUM

On August 21, 2025, the Town of Southern Pines Planning Board held a preliminary forum on application MAPP-04-25 in conjunction with this application’s preceding Conditional Zoning District Application’s legislative hearing (file #Z-05-25). Planning staff made a presentation on the plan, and explained staff’s assessment on how the proposed conditional zoning district and major subdivision are consistent with the Comprehensive Plan and the criteria for approval. Following staff’s comments, Trevor Hansen of Koontz Jones Design/V3, agent for the applicant, made a presentation to the Planning Board and provided an overview of the proposal.

Eight members of the public also spoke during the hearing. Those members of the public and the Planning Board discussed concerns with the applicant, which included unsafe conditions that adding an access onto Midlothian Drive would cause (given the narrow and steep nature of that street), the higher density of development, traffic impacts (noting the increased traffic volume in the neighborhood), and a potentially insufficient stormwater management plan.

For concerns surrounding the installation of an access onto Midlothian, the applicant cited that the fire code and need to provide ease of emergency access were the reasons behind needing to add the access. The applicant also stated they’d be willing to conduct an analysis of the turning radius a fire truck would require to turn in and out of Midlothian Drive, and continued to reiterate that this development would establish “missing-middle” housing in an appropriate area of town.

After closing the hearing, the board discussed public concerns and applicant comments. A motion was made that the proposed Conditional Zoning District is inconsistent with the 2040 Comprehensive Plan and the approval criteria; the board then recommended denial of Z-05-25 to the Town Council with four primary reasons cited. The motion carried by a vote of 5-0. The board’s four reasons reflect what they believed were issues not adequately addressed by the applicant, and therefore, make the proposal inconsistent with the Comprehensive Plan and rezoning criteria under UDO §2.17.9. The reasons are listed in the Planning Board Resolution in Attachment I of file #Z-05-25. No further discussion occurred on file # MAPP-04-25 because Z-05-25 was recommended for denial, and this major subdivision is solely based on its contents.

Pursuant to NCGS §160D-301(b)(6), the Town Council is reminded that no part of the Planning Board’s discussion specifically regarding this major subdivision application that took place on August 21, 2025, may be used as a basis for the Council’s decision on MAPP-04-25.

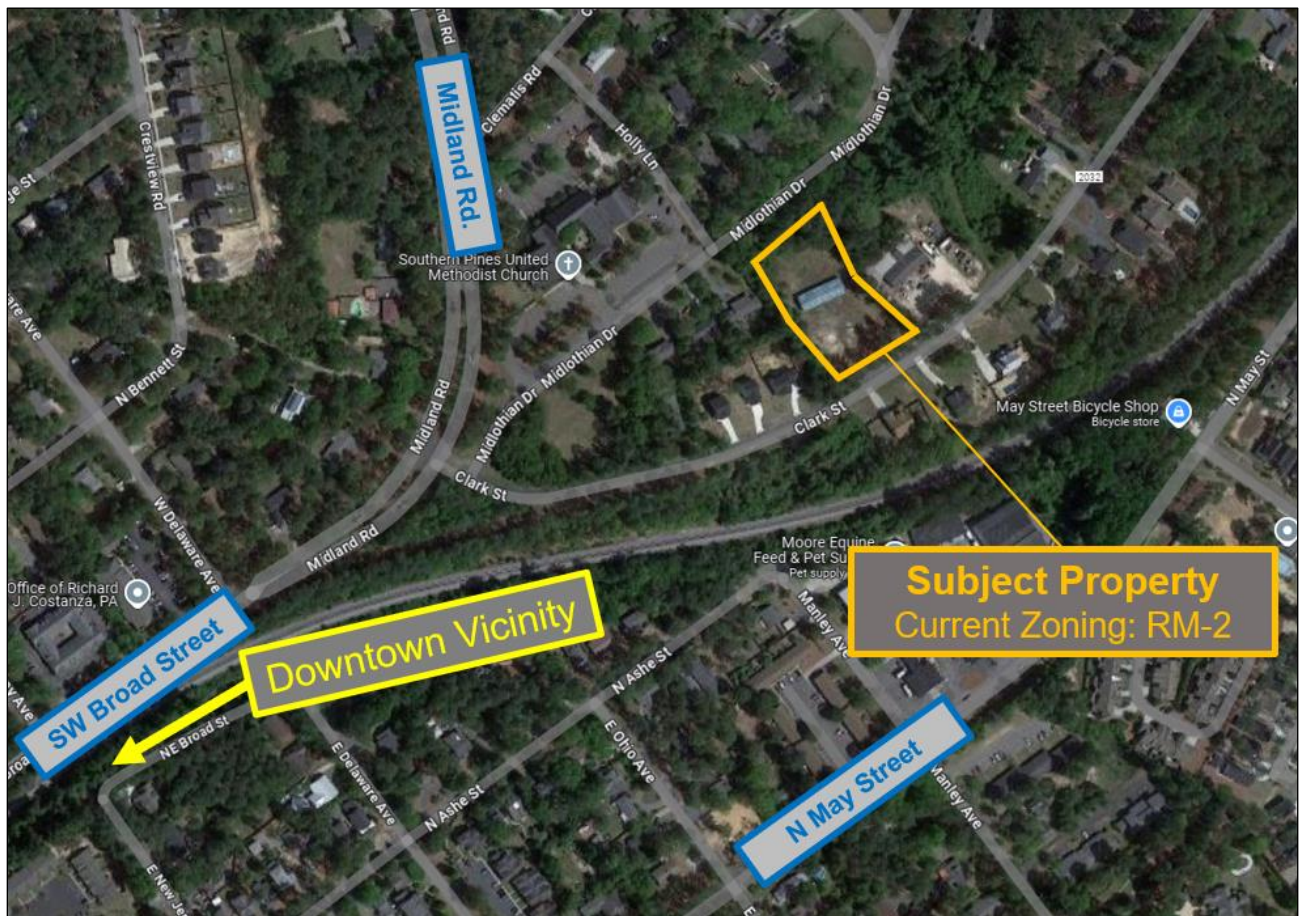
III. PROJECT INFORMATION

- | | | |
|--|--|---|
| <p>a. Physical Addresses
510 Clark Street
PARID: 00032727</p> | <p>b. Property Owner/Applicant
Travis Greene
Moore HL Properties, Inc.
55 Walnut Creek Rd
Pinehurst, NC 28374</p> | <p>c. Authorized Agent
Trevor Hansen
Koontz Jones Design, PLLC/V3
140 Applecross Rd, Ste B
Pinehurst, NC 28374</p> |
|--|--|---|

d. Zoning.

Contingent on the rezoning request of Z-05-25, the existing zoning district will be Residential Mixed Housing-I Conditional District (RM-ICD). Final conditions approved for Z-05-25, as part of the Conditional Zoning District application, will be submitted into the record by either planning staff or the applicant, if approved. In the event that the rezoning request is denied or continued, then the effective zoning will remain RM-2.

Figure 1. Zoning Vicinity Map (Subject Property Outlined in **Orange**).



e. Overlays.

The subject property is entirely within High-Quality Watershed. As part of a previous Major Subdivision Approval for this property in October 2024, file # MAPP-02-24, a Watershed Protection Permit was afforded to the subject property. For that reason, Clark St. Townhomes Subdivision October 2025 Town Council

neither this Major Subdivision Application nor the Conditional Zoning District application of which it is based upon (file # Z-05-25) will require a Watershed Protection Permit, as one has already been approved for the site.

f. Comprehensive Plan Designation.

The General Framework Map and Conservation and Development Maps from the Comprehensive Plan categorize this site as an “Area to Enhance” and “Neighborhood” respectively. This neighborhood area is intended to promote multiple home types and especially “missing-middle” home choices. Applicants for development in these areas should consider walkability and well-connected networks of open spaces where feasible.

g. Suburban Settlements Character District.

The Suburban Settlements Character District comprises a wide variety of suburban-style development, including shopping areas, single-family neighborhoods, and apartment complexes. The character district does not necessarily possess attributes that are unique to Southern Pines or represent distinct elements that future development should emulate. For that reason, new development in Suburban Settlements should look to the wider Comprehensive Plan for guidance when crafting design. Development should prioritize natural character preservation, infill development, mix-of-uses, “missing-middle housing,” buildings of varying heights, and pedestrian infrastructure.

Figure 3. Imagery of the Subject Property (Facing North).



Figure 4. Preliminary Plat – Clark Street Townhomes.



Figure 5. Preliminary Plat – Clark Street Townhomes – “External Garage Option.”



LOT TABLE		
SFA TOWNHOME #1	LOT 1	2,794 SF
SFA TOWNHOME #2	LOT 2	1,862 SF
SFA TOWNHOME #3	LOT 3	1,862 SF
SFA TOWNHOME #4	LOT 4	2,386 SF
SFA TOWNHOME #5	LOT 5	2,455 SF
SFA TOWNHOME #6	LOT 6	1,552 SF
SFA TOWNHOME #7	LOT 7	1,961 SF
SFA TOWNHOME #8	LOT 8	1,955 SF
SFA TOWNHOME #9	LOT 9	1,530 SF
SFA TOWNHOME #10	LOT 10	1,530 SF
SFA TOWNHOME #11	LOT 11	2,380 SF
SFA TOWNHOME #12	LOT 12	2,138 SF
SFA TOWNHOME #13	LOT 13	1,509 SF
SFA TOWNHOME #14	LOT 14	1,550 SF
SFA TOWNHOME #15	LOT 15	1,568 SF
SFA TOWNHOME #16	LOT 16	2,337 SF
COMMON SPACE & ACCESS EASEMENT	LOT 17	33,773 SF

EXISTING P4
LEGACY HOME
M4
KNOLL
LOTS J4000
TOWN OF
MCNE
MOORE COUN
CWA
LEGACY HOME
SOUTHER
SI
JOHN G. N
10 COURT
CARTY
ST

SANITARY SEWER MANHOLE
RIM: 453.98
INVERT IN (FROM SW): 446.20
INVERT OUT (TO NE): 446.11

IV. STAFF REVIEW

Application Review Dates

Pre-Application Meeting: **June 24, 2025**

Application Submitted: **July 14, 2025**

Application Deemed Complete: **July 16, 2025**

Updated Materials Submitted: **August 8, 2025**

Updated Materials Submitted: **August 11, 2025**

Technical Review Committee Meeting: **August 5, 2025**

Planning Board Public Hearing Notice

Publication: **August 6 and 13, 2025**

Mail: **July 29, 2025**

Signage: **July 31, 2025**

Internet: **July 29, 2025**

Planning Board Preliminary Forum: **August 21, 2025**

Applicant Decision to Continue to October Town Council: **August 26, 2025**

Mail: **September 22, 2025**

Internet: **September 17, 2025**

Applicant-Led Neighborhood Meeting: **September 22, 2025**

Updated Materials Submitted: **October 1, 2025**

Town Council Evidentiary Hearing: **October 14, 2025**

a. Process and Standards of Review

UDO §2.19, General Subdivision Regulations, and §2.20, Major Subdivision, cover the procedures for review and approval of a Major Subdivision. The criteria for compliance with a Major Subdivision Preliminary Plat are found in UDO §2.20.4(G), and apply to the review and approval of this development.

b. Compliance with UDO §2.20.4(G) Major Subdivision Preliminary Plat Criteria. A major subdivision is permitted only if the applicant demonstrates consistency with the following five criteria. Below are staff comments regarding the application's consistency with each:

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.*

• **Missing-Middle Housing.**

The Clark Street and Midlothian Drive area is anticipated to provide missing-middle housing on varying lot sizes that include connected networks of open space sensitive to the uses, densities, location, and character of surrounding areas. Comprehensive Plan policies 7.1 and 7.5—support housing diversity and workforce housing in the community—align well with the proposed single-family attached home layouts, and will provide an increased supply of “missing-middle” home-type inventory in line with these policy priorities.

- **Natural Character Preservation.**

The project’s narrative shows how it aims to maximize tree preservation throughout the site, as a significant number of mature trees are present throughout the site (see figures 2 and 5). If Z-05-25 is approved, two of the applicant’s conditions will retain all trees, 6-inch diameter and larger, that do not interfere with:

- building footprints
- vehicular access and parking
- utility installation
- essential site grading

This tree preservation condition, associated with file #Z-05-25, is consistent with Comprehensive Plan policies 4.9 and 4.10—preserve natural character and minimize tree loss during development.

Figure 5. Mature Trees Within the Clark Street Townhomes Site.



In conclusion, staff find that should files Z-05-25 be approved, this MAPP-04-25 preliminary plat is consistent with Comprehensive Plan policies 7.1, 7.5, 4.9, and 4.10, and therefore this criterion.

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

- **Stormwater Control.**

The subject property’s topography shows that stormwater will drain generally from west to east, and ultimately into the existing infrastructure along Clark Street. Before connecting to this infrastructure, the applicant has shown they’ll first meet stormwater control requirements via a combination of rain gardens, depressions, bioswales, underground cisterns, and/or a small retention pond. Given the creative stormwater control design and existing infrastructure the system will connect to, staff find that the applicant’s stormwater plan complies with the UDO and state regulations.

With the approval of Z-05-25, the staff verification that no state or federal regulatory issues are present, and the assessment that no conflicts with the town's UDO are present, staff do not find any regulatory issues with this application. Refining technical details will be addressed during site plan review with the Technical Review Committee to ensure compliance with all applicable town development ordinances. Therefore, staff find that the application is consistent with this 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;

- **Lot Access and Dimensional Standards.**

With file Z-05-25, the applicant has proposed the following reduced lot and dimensional standards for the proposed units:

- No minimum lot sizes
- **Units 5-11 setbacks:** 20' (front), 10' (exterior side), 5' (interior side), and 15' (rear).
- **Units 1-4 and 12-16 setbacks:** 15' (front), 10' (exterior side), 10' (interior side), and 15' (rear).

Access will be provided by a 20-foot private drive, Old Forester Drive, that connects Clark Street to Midlothian Drive.

Though the proposed density for this development is greater than the surrounding area, staff do not assess that a density or access issue is present with the proposed Major Subdivision.

- **Parking and Access.**

Pending the approval of Z-05-25, future residents will access and park in a common area parcel, managed by the development's HOA. The applicant has also proposed that units 1-4 and 12-16 will have the option of employing one surface parking space and one garage (see file # Z-05-25); an alternate site plan that addresses the garage option has been provided as attachment 3a.

Refining technical details will be addressed during site plan review with the Technical Review Committee to ensure compliance with all applicable ordinances. Therefore, staff find that the application is consistent with this criterion.

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

Based on the application materials, preliminary plat layout, and Technical Review Committee analysis of the subject property and surrounding areas, staff find that safety and viability concerns are sufficiently addressed. Of note, the 20-foot access easement will ensure proper fire and emergency access to all of the 16 proposed units. Therefore, staff find that the application is consistent with this 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.*

Town utilities are readily available for extension to these proposed units, and town staff do not anticipate any issues in accommodating their proposed service. Proper spacing of fire hydrants will be reviewed during site plan review. Therefore, staff find that the application is consistent with this criterion.

c. Additional Staff Comments

- **Phasing Plan.**

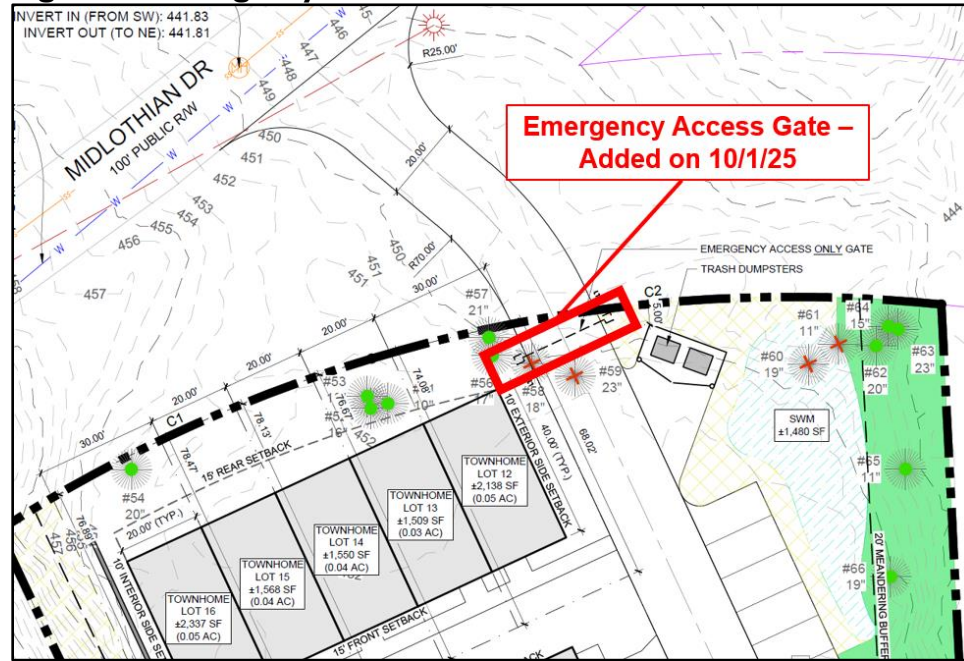
The applicant has not proposed a phasing plan associated with this development as of the time of writing this staff report. Should the applicant choose to conduct a phasing plan, they will need to make that revision, and show it on the site plan, during site plan review.

- **Construction Traffic.** To mitigate any noise or disturbances experienced by nearby neighbors, the applicant has included a mitigating condition in the Z-05-25 application. The condition directs all construction traffic to use the shared 20' private drive during construction, and that Clark Street and Midlothian Drive may only be parked on when directly installing project elements in those locations on the north and south side.

- **Emergency Access Gate.** The August 21, 2025 Planning Board meeting revealed four main neighborhood concerns, one of which involved the safety of the proposed 20' private drive accessing off of Midlothian Drive. Due to the neighborhood concerns, the applicant held a neighborhood meeting on September 22, 2025 to better understand and attempt to address those concerns. The neighborhood meeting report, provided by the applicant, is attachment 4 of this staff report.

The change that resulted from that meeting was the addition of an emergency access gate on the site plan that will allow only emergency vehicles to access from Midlothian (via a siren or "knox" box) (see figure 9 below). This measure intends to prevent routine traffic from accessing Midlothian Drive and turning left on the subject portion's relatively steep grade. To meet fire code and emergency access requirements, and overall optimize the site's design, connecting the private drive to Midlothian Dr. is a necessary site component.

Figure 9. Emergency Access Gate – Added 10/1/25.



- **TRC Review.** The Technical Review Committee reviewed this project at its August 5, 2025 meeting—noting a few minor issues (see file #Z-05-25) that needed adjusting. Planning staff subsequently communicated those issues and recommended changes to the applicant, who provided amended documents on August 8 and 11, 2025.

Finally, if the Z-05-25 rezoning file is approved as presented, then staff find that this MAPP-04-25 application will have met all of the applicable Major Subdivision criteria.

d. Outside Agency Comments:

Staff provided information on the project to outside agencies on July 29, 2025, and received the following comments:

- On August 11, 2025, NCDOT replied noting that the proposed 20' alley would need a driveway and right-of-way encroachment permit, otherwise no major concerns were noted.
- On August 11, 2025, the Fort Bragg Regional Land Use Advisory Commission (RLUAC) provided a review letter noting the importance of limiting impervious surface on the site, as it is within the high-quality watershed. Since the site already has a 5/70 exemption allocation, this concern has already been addressed.

Any additional applicant, agency, or public comments received following this staff report's publication, but prior to the public hearing, will be shared during staff's presentation.

V. ATTACHMENTS

Additional documentation, including but not limited to, the parcel deeds and applicable historical plats are available for review as a public document at the Town of Southern Pines planning office.

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

- 1. Draft Findings of Fact
- 2. Existing Conditions
- 3. Preliminary Plat | 3a. Preliminary Plat (External Garage Option)
- 4. Neighborhood Meeting Report (9-22-2025)

VI. 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 I. 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 I of the staff report, as drafted, as Findings of Fact regarding the proposed Preliminary Plat MAPP-04-25.

- OR -

- 2. Adopt Attachment I of the staff report as Findings of Fact regarding the proposed Preliminary Plat MAPP-04-25, 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-04-25;

- OR -

- 2. Deny the Preliminary Plat MAPP-04-25;

- OR -

- 3. Approve the Preliminary Plat MAPP-04-25 with the following additional condition(s):

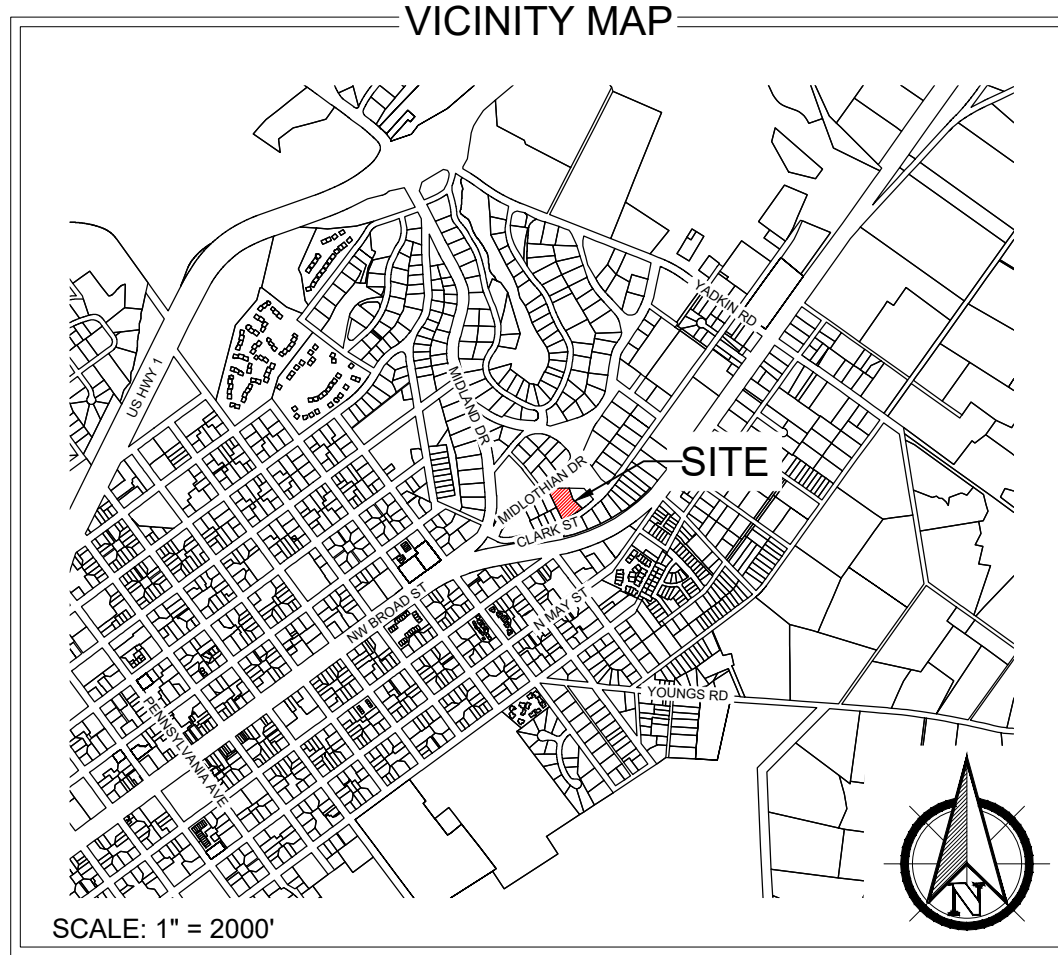
ATTACHMENT I

Draft Town Council Findings of Fact Preliminary Plat Application MAPP-04-25

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) in that 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 have been sufficiently mitigated in the conditional rezoning file Z-05-25, which this MAPP-04-25 file is based upon.
- 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 all applicable UDO, state, and federal regulations have been addressed, or will be addressed during site plan review. The proposed Major Subdivision is consistent with the subject property’s zoning, RM-ICD, with the imposition of the conditions tied to the approved file of Z-05-25. Moreover, the applicant’s plans to vary the buffer width on the eastern side of the property, in an effort to maximize existing tree preservation while providing required parking, balances UDO requirements with Comprehensive Plan priorities. The Town council finds that applying a variation, pursuant to UDO §4.3.8, is appropriate in this specific case as well.
- 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 RM-I zoning standards from the UDO, with the exception of modified standards detailed in the rezoning file Z-05-25. The modifications found and approved in Z-05-25 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 Z-05-25 sufficiently mitigated negative impacts on adjacent properties, noting the inclusion of an emergency gate adjacent to Midlothian Drive, and the Town Council has not identified any 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. Furthermore, site plan review by the Technical Review Committee will ensure that the site adequately meets water, fire flow, and sewer requirements.



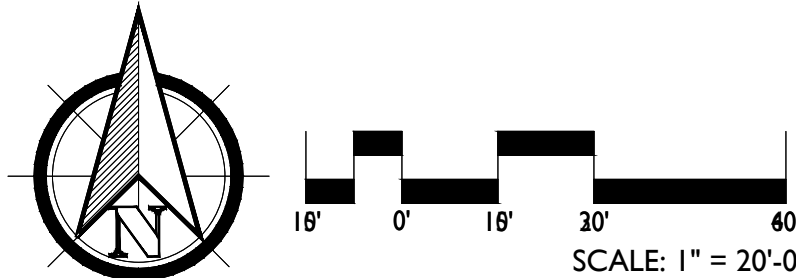
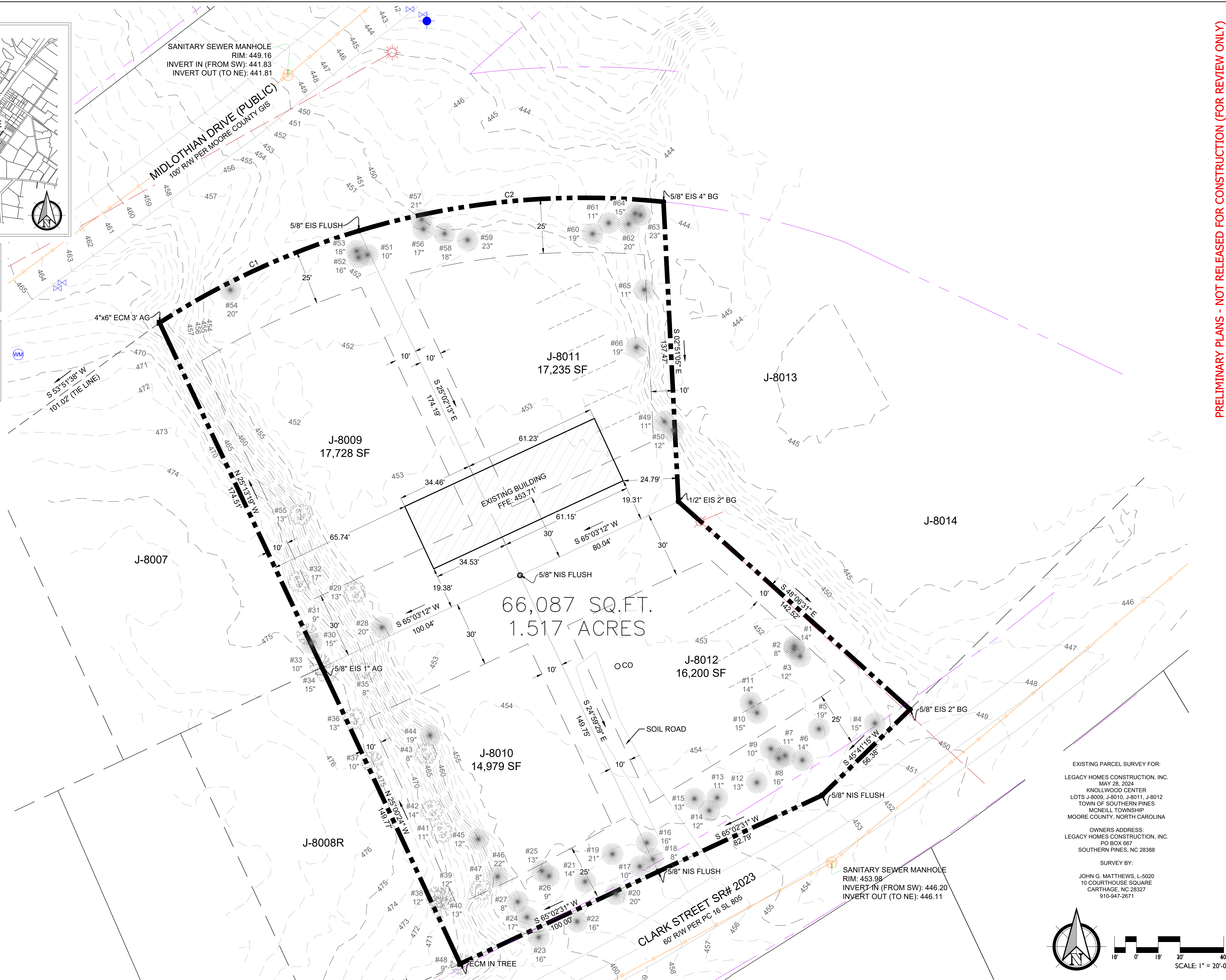
FLOODPLAIN DATA
 THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X'
 (AREAS OF MINIMAL FLOODING)
 THE LOCATION OF THE 100-YEAR FLOODPLAIN PER NFIP
 FIRM COMMUNITY
 PANEL(S) NO. 8580 / 8582
 MAP(S): 3710858000J / 3710858200J
 DATE: OCTOBER 17, 2006

ZONING INFORMATION
EXISTING ZONING CLASSIFICATION:
 RM-2 - RESIDENTIAL MULTI-FAMILY LOW DENSITY
SETBACKS:
 FRONT: 25'
 INTERIOR SIDE: 10'
 EXTERIOR SIDE: 15'
 REAR: 30'

PROPERTY INFORMATION
PROPERTY OWNER / APPLICANT:
 LEGACY HOMES CONSTRUCTION, INC.
PROPERTY ADDRESS:
 510 CLARK ST, SOUTHERN PINES, NC 28387
PARCEL ID: 00032727
PIN: 858219617079
DEED BOOK #: 5910
DEED PAGE #: 338

LEGEND
 - - - - - = PROPERTY BOUNDARY
 - - - - - = RIGHT OF WAY
 SS = SANITARY SEWER LINE
 W = WATER LINE
 - - - - - = ELECTRIC LINE
 - - - - - = EXISTING MAJOR CONTOUR
 - - - - - = EXISTING MINOR CONTOUR

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.



EXISTING PARCEL SURVEY FOR:
 LEGACY HOMES CONSTRUCTION, INC.
 MAY 28, 2024
 KNOLLWOOD CENTER
 TOWN OF SOUTHERN PINES
 MCNEILL TOWNSHIP
 MOORE COUNTY, NORTH CAROLINA
 OWNERS ADDRESS:
 LEGACY HOMES CONSTRUCTION, INC.
 PO BOX 667
 SOUTHERN PINES, NC 28388
 SURVEY BY:
 JOHN G. MATTHEWS, L-5020
 10 COURTHOUSE SQUARE
 CARTHAGE, NC 28327
 910-947-2671

CLARK STREET SR# 2023
 60' RW PER PC 16 SL 805

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

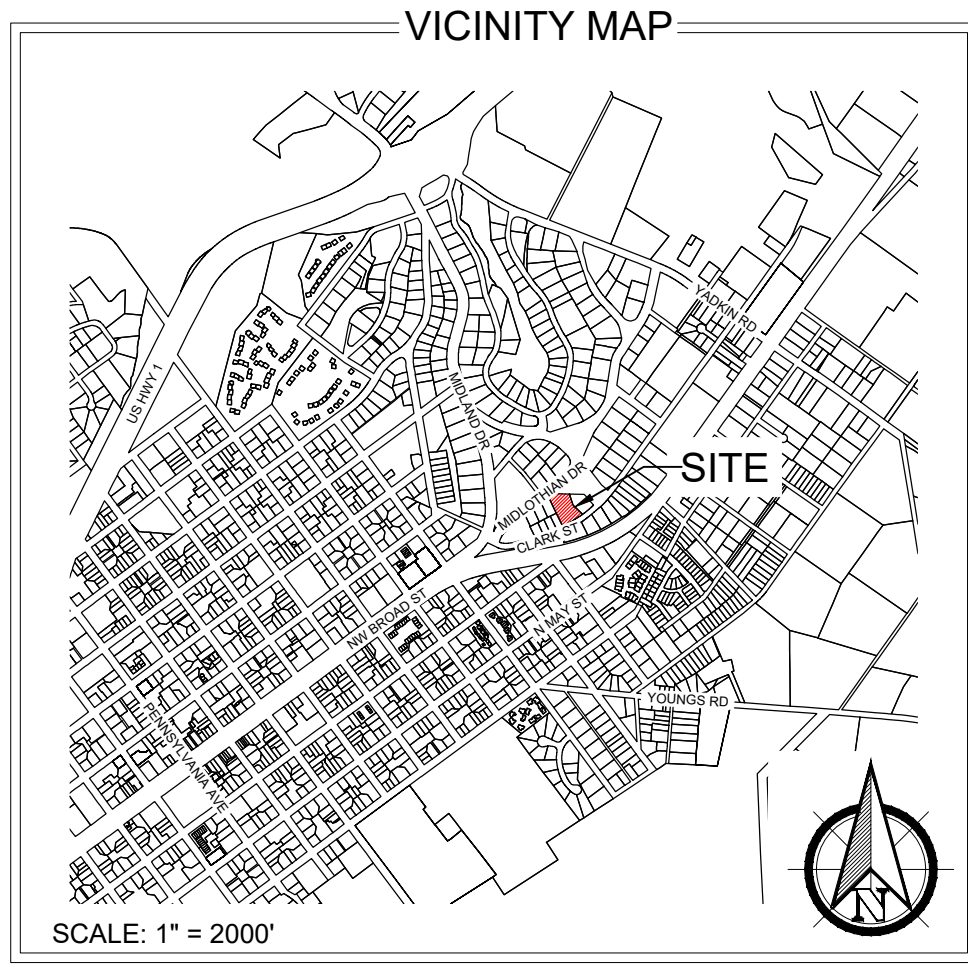
KOONTZ JONES DESIGN

140 APPLECROSS ROAD, SUITE B
 PINEHURST, NC 28374
 P: (910) 894-8487
 W: www.koontzjonesdesign.com

REVISIONS:

CLARK STREET TOWNHOMES
 SOUTHERN PINES, NORTH CAROLINA
EXISTING CONDITIONS PLAN

DATE: 2025-07-14
 DESIGNED BY: TWH
 DRAWN BY: DVM
 CHECKED BY: TWH
 Q.C. BY: REL
 PROJECT #: KJ022102
 SHEET NUMBER:
L-1.0



FLOODPLAIN DATA
 THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X' (AREAS OF MINIMAL FLOODING)
 THE LOCATION OF THE 100-YEAR FLOODPLAIN PER NFIP FIRM COMMUNITY PANEL(S) NO. 8580 / 8582 MAP(S): 3710858000J / 3710858200J DATE: OCTOBER 17, 2006

ZONING INFORMATION
PROPOSED ZONING CLASSIFICATION:
 CZ-RM-1 - RESIDENTIAL MIXED HOUSING
SETBACKS (EXTERNAL PARKING):
 FRONT: 15'
 INTERIOR SIDE: 10'
 EXTERIOR SIDE: 10'
 REAR: 15'
SETBACKS (FRONT LOADED):
 FRONT: 20'
 INTERIOR SIDE: 5'
 EXTERIOR SIDE: 10'
 REAR: 15'

PROPERTY INFORMATION
PROPERTY OWNER / APPLICANT:
 LEGACY HOMES CONSTRUCTION, INC.
PROPERTY ADDRESS:
 510 CLARK ST, SOUTHERN PINES, NC 28387
PARCEL ID: 00032727
PIN: 858219617079
DEED BOOK #: 5910
DEED PAGE #: 338

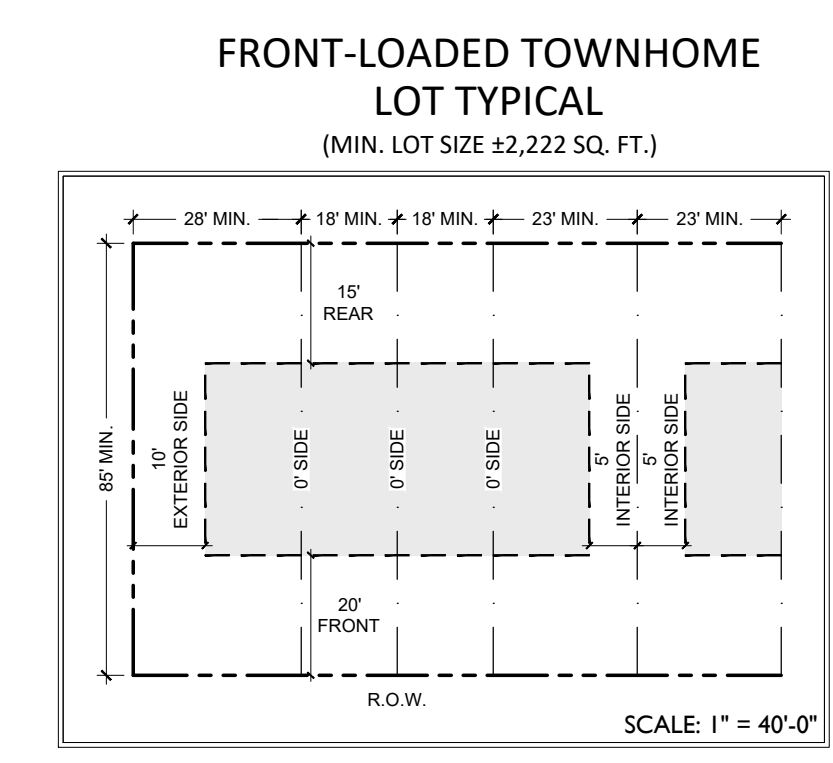
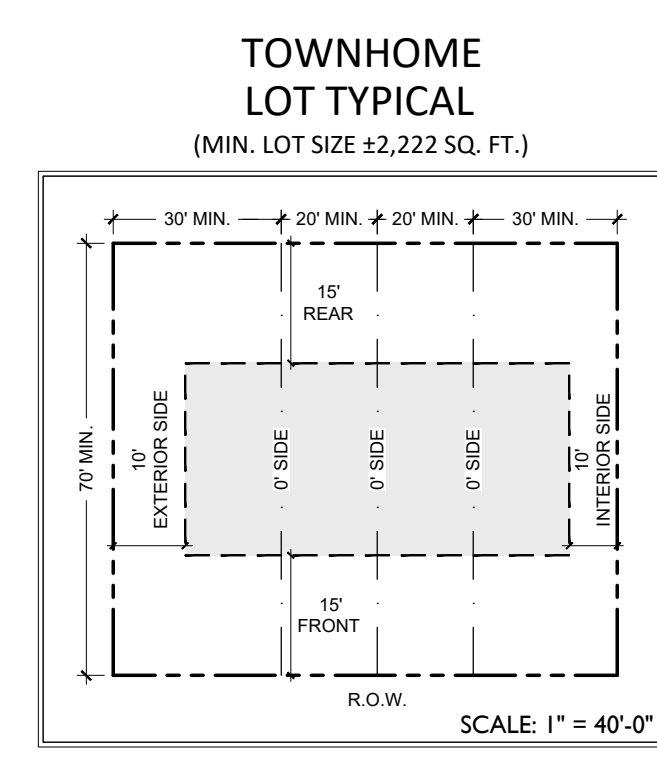
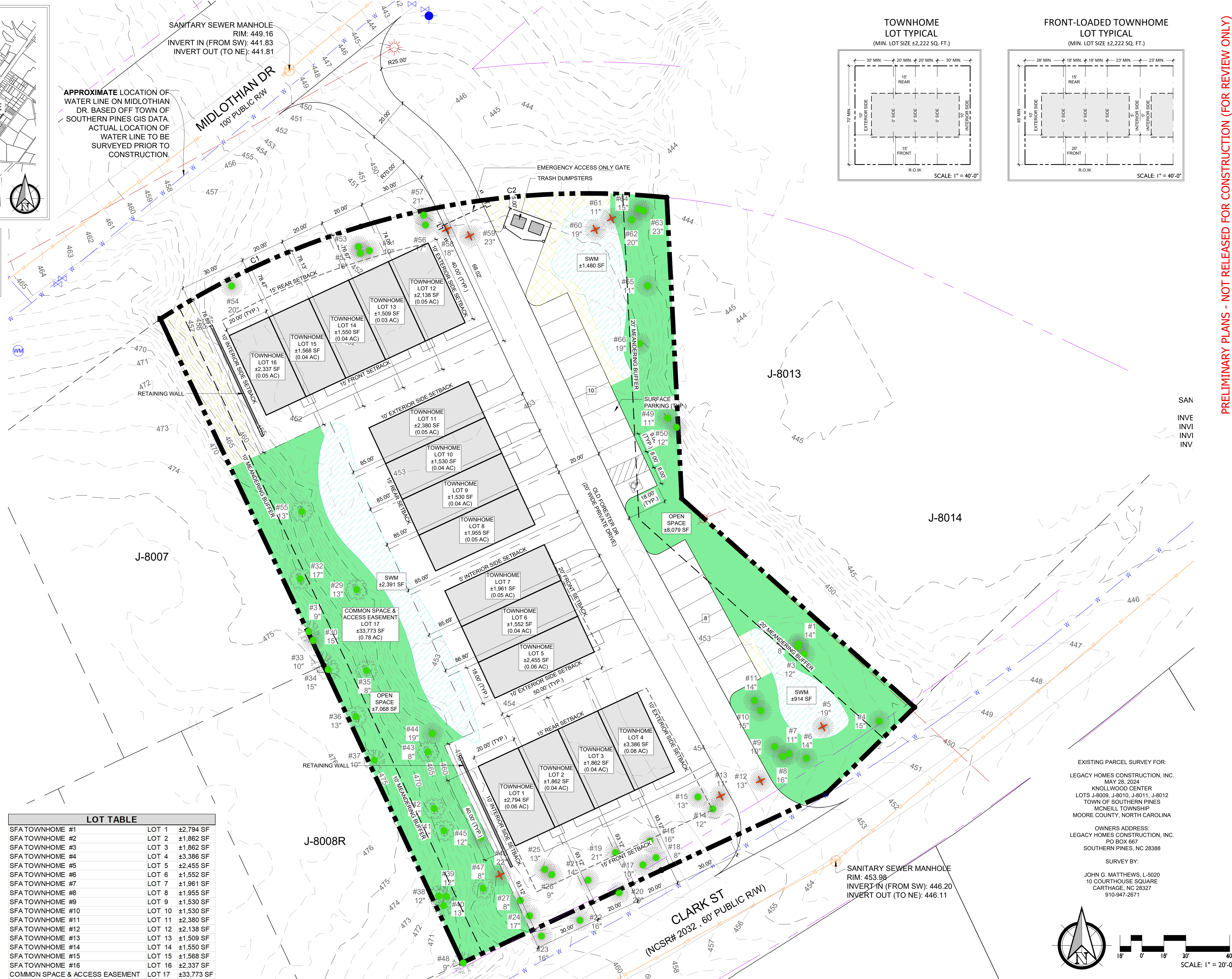
DEVELOPMENT SUMMARY

TOWNHOME LOTS (18' MIN. WIDTH X 85' MIN. DEPTH)	16 LOTS
COMMON SPACE & ACCESS EASEMENT	1 LOT
TOTAL SITE ACREAGE:	±1.52 AC 10.5 DUA
TOTAL OPEN SPACE REQUIRED:	6,621 SF ±0.15 AC 10.0%
TOTAL OPEN SPACE PROVIDED:	15,147 SF ±0.35 AC 22.9%
TOTAL IMPERVIOUS SURFACE PERMITTED:	94,587 SF ±2.17 AC 70.0%
TOTAL IMPERVIOUS SURFACE PROPOSED:	31,463 SF ±0.72 AC 47.5%
PARKING REQUIREMENTS: SINGLE FAMILY ATTACHED @ 2 SPACES/UNIT	
TOTAL PARKING REQUIRED:	32 SPACES
TOTAL PARKING PROVIDED:	32 SPACES

LEGEND

- = PROPERTY BOUNDARY
- = PARCEL BOUNDARY
- = SETBACK LINE
- = BUFFER LINE
- = BUFFER OF WAY
- = RIGHT OF WAY
- SS = SANITARY SEWER LINE
- W = WATER LINE
- = ELECTRIC LINE
- = EXISTING MAJOR CONTOUR
- = EXISTING MINOR CONTOUR
- = STORMWATER POND
- = OPEN SPACE
- = COMMON AREA

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)

KOONTZ JONES DESIGN

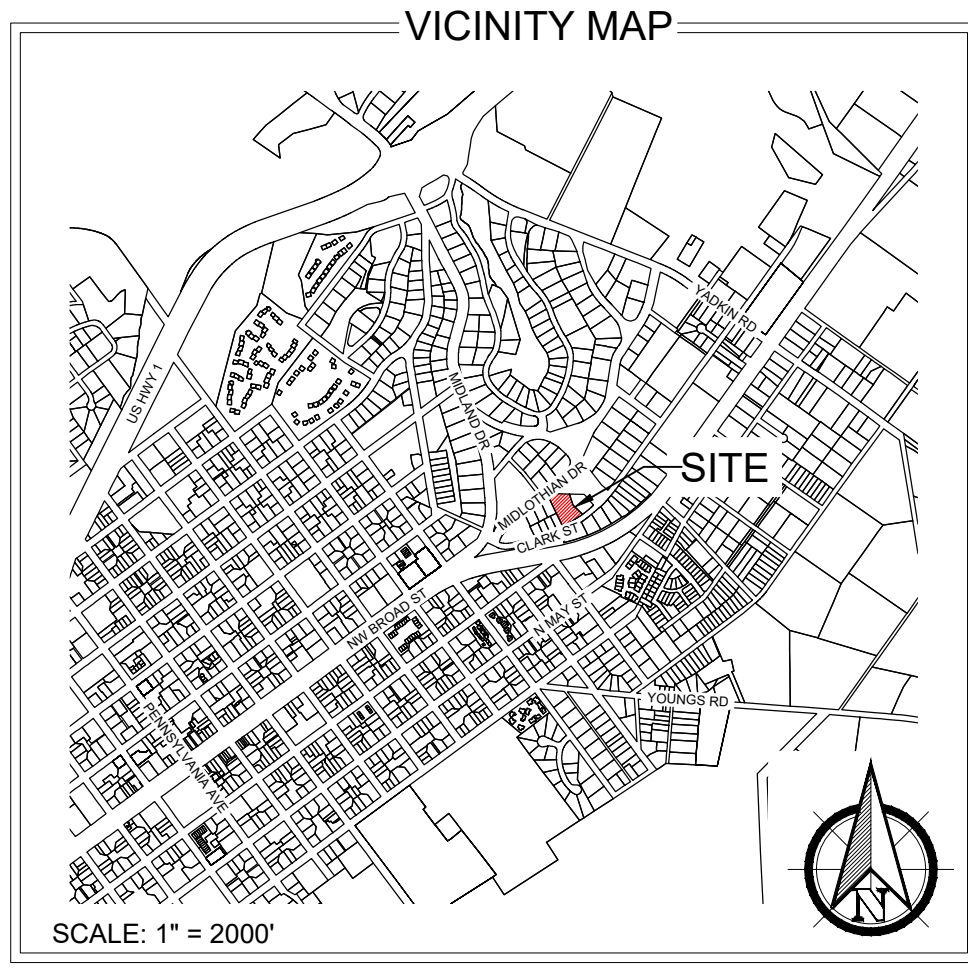
140 APPLACROSS ROAD, SUITE B
 PINEHURST, NC 28374
 P: (910) 884-8487
 W: www.koontzjonesdesign.com

REVISIONS:

CLARK STREET TOWNHOMES
 SOUTHERN PINES, NORTH CAROLINA

PRELIMINARY PLAT

DATE: 2024.09.29
 DESIGNED BY: TWH
 DRAWN BY: DVM
 CHECKED BY: TWH
 Q.C. BY: REL
 PROJECT #: KJ022102
 SHEET NUMBER:
L-1.1A



FLOODPLAIN DATA
 THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X' (AREAS OF MINIMAL FLOODING)
 THE LOCATION OF THE 100-YEAR FLOODPLAIN PER NFIP FIRM COMMUNITY PANEL(S) NO. 8580 / 8582 MAP(S): 3710858000J / 3710858200J DATE: OCTOBER 17, 2006

ZONING INFORMATION
PROPOSED ZONING CLASSIFICATION:
 CZ-RM-1 - RESIDENTIAL MIXED HOUSING
SETBACKS (EXTERNAL PARKING):
 FRONT: 15'
 INTERIOR SIDE: 10'
 EXTERIOR SIDE: 10'
 REAR: 15'
SETBACKS (FRONT LOADED):
 FRONT: 20'
 INTERIOR SIDE: 5'
 EXTERIOR SIDE: 10'
 REAR: 15'

PROPERTY INFORMATION
PROPERTY OWNER / APPLICANT:
 LEGACY HOMES CONSTRUCTION, INC.
PROPERTY ADDRESS:
 510 CLARK ST, SOUTHERN PINES, NC 28387
PARCEL ID: 00032727
PIN: 858219617079
DEED BOOK #: 5910
DEED PAGE #: 338

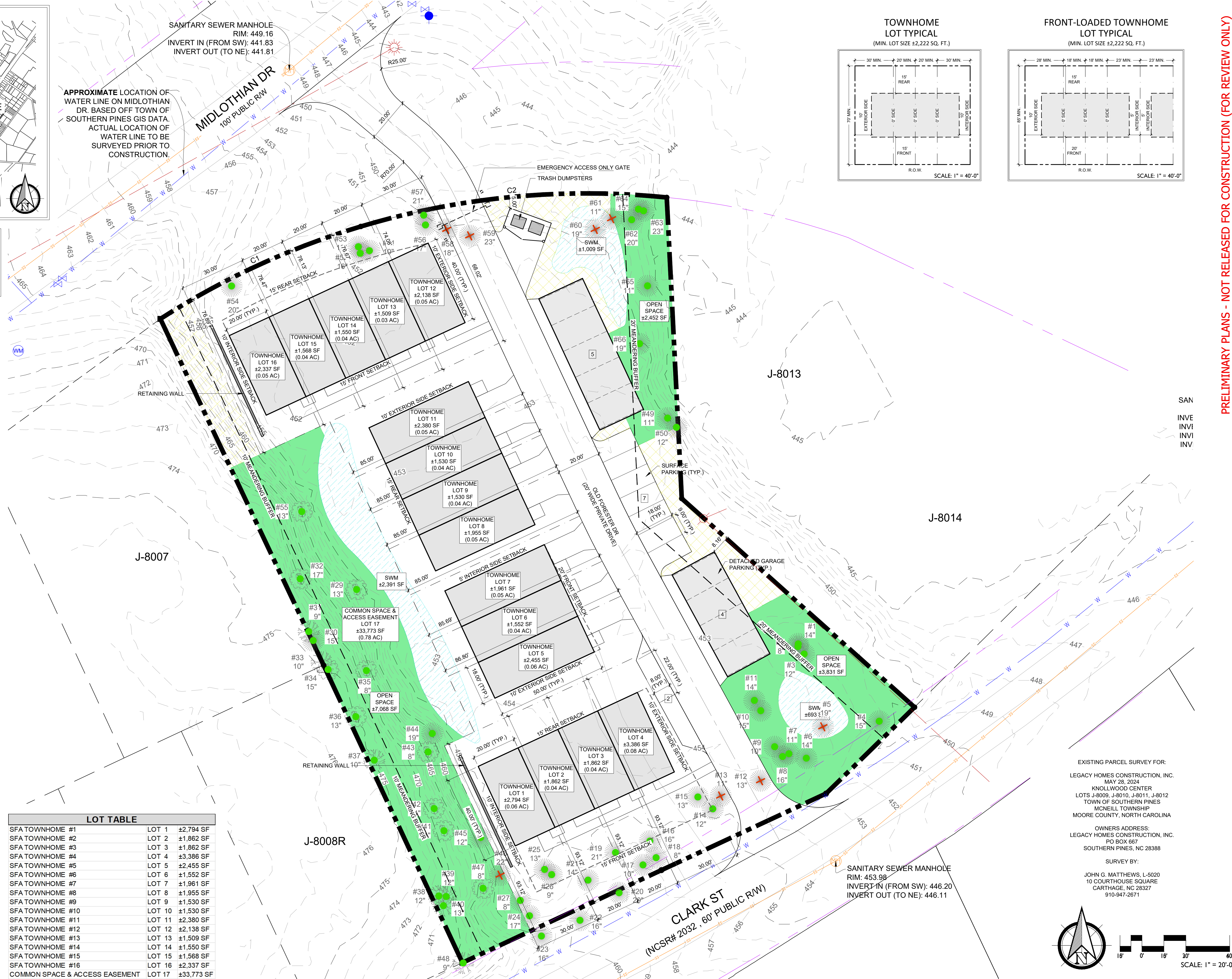
DEVELOPMENT SUMMARY

TOWNHOME LOTS (18' MIN. WIDTH X 85' MIN. DEPTH)	16 LOTS
COMMON SPACE & ACCESS EASEMENT	1 LOT
TOTAL SITE ACREAGE:	±1.52 AC 10.5 DUA
TOTAL OPEN SPACE REQUIRED:	6,621 SF ±0.15 AC 10.0%
TOTAL OPEN SPACE PROVIDED:	13,351 SF ±0.31 AC 20.2%
TOTAL IMPERVIOUS SURFACE PERMITTED:	94,587 SF ±2.17 AC 70.0%
TOTAL IMPERVIOUS SURFACE PROPOSED:	33,531 SF ±0.77 AC 50.5%
PARKING REQUIREMENTS: SINGLE FAMILY ATTACHED @ 2 SPACES/UNIT	
TOTAL PARKING REQUIRED:	32 SPACES
TOTAL PARKING PROVIDED:	32 SPACES

LEGEND

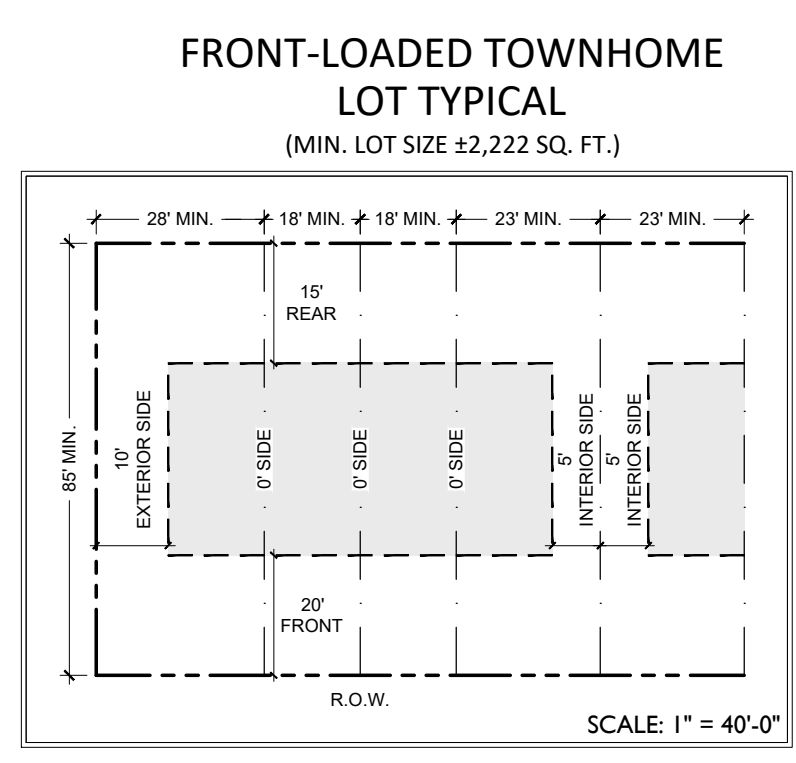
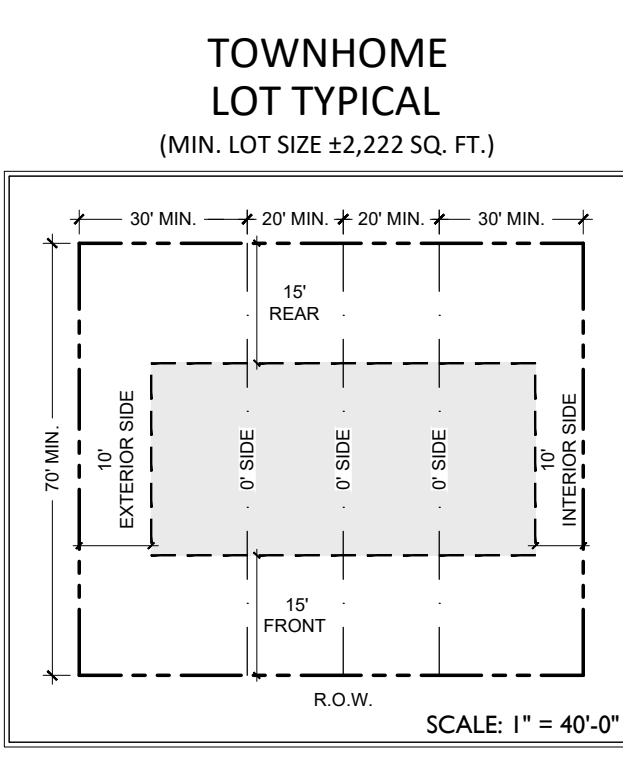
- = PROPERTY BOUNDARY
- - - = PARCEL BOUNDARY
- - - = SETBACK LINE
- - - = BUFFER LINE
- - - = BUFFER OF WAY
- - - = RIGHT OF WAY
- SS = SANITARY SEWER LINE
- W = WATER LINE
- = ELECTRIC LINE
- - - = EXISTING MAJOR CONTOUR
- - - = EXISTING MINOR CONTOUR
- - - = STORMWATER POND
- = OPEN SPACE
- = COMMON AREA

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.

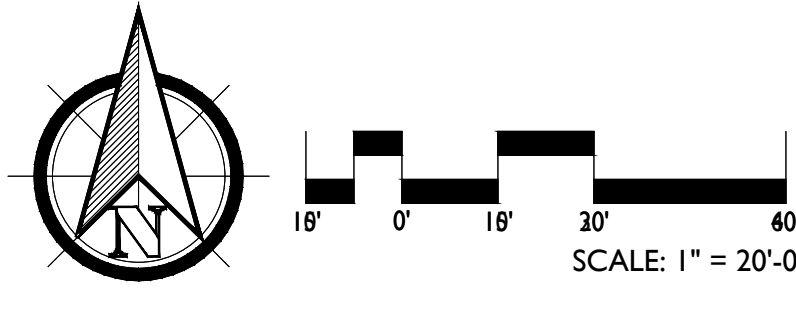


LOT TABLE

SFA TOWNHOME #	LOT #	SQ. FT.
SFA TOWNHOME #1	LOT 1	±2,794 SF
SFA TOWNHOME #2	LOT 2	±1,862 SF
SFA TOWNHOME #3	LOT 3	±1,862 SF
SFA TOWNHOME #4	LOT 4	±3,386 SF
SFA TOWNHOME #5	LOT 5	±2,455 SF
SFA TOWNHOME #6	LOT 6	±1,552 SF
SFA TOWNHOME #7	LOT 7	±1,961 SF
SFA TOWNHOME #8	LOT 8	±1,955 SF
SFA TOWNHOME #9	LOT 9	±1,530 SF
SFA TOWNHOME #10	LOT 10	±1,530 SF
SFA TOWNHOME #11	LOT 11	±2,380 SF
SFA TOWNHOME #12	LOT 12	±2,138 SF
SFA TOWNHOME #13	LOT 13	±1,509 SF
SFA TOWNHOME #14	LOT 14	±1,550 SF
SFA TOWNHOME #15	LOT 15	±1,568 SF
SFA TOWNHOME #16	LOT 16	±2,337 SF
COMMON SPACE & ACCESS EASEMENT	LOT 17	±33,773 SF



EXISTING PARCEL SURVEY FOR:
 LEGACY HOMES CONSTRUCTION, INC.
 MAY 28, 2024
 KNOLLWOOD CENTER
 TOWN OF SOUTHERN PINES
 MCNEILL TOWNSHIP
 MOORE COUNTY, NORTH CAROLINA
 OWNERS ADDRESS:
 LEGACY HOMES CONSTRUCTION, INC.
 PO BOX 667
 SOUTHERN PINES, NC 28388
 SURVEY BY:
 JOHN G. MATTHEWS, L-5020
 10 COURTHOUSE SQUARE
 CARTHAGE, NC 28327
 910-947-2671



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

KOONTZ JONES DESIGN

140 APPLCROSS ROAD, SUITE B
 PINEHURST, NC 28374
 P: (910) 884-8487
 W: www.koontzjonesdesign.com

REVISIONS:

CLARK STREET TOWNHOMES
 SOUTHERN PINES, NORTH CAROLINA

PRELIMINARY PLAT - EXTERNAL GARAGES OPTION

SHEET NUMBER:
L-1.1A

DATE: 2024.05.29
 DESIGNED BY: TWH
 DRAWN BY: DMV
 CHECKED BY: TWH
 Q.C. BY: REL
 PROJECT #: KJ022102

NEIGHBORHOOD MEETING REPORT

DATE: September 22, 2025

PROJECT: Clark St Townhomes

LOCATION: 510 Clark St
Southern Pines, NC 28387

SUBMITTED BY: Devin Macfarlane

ATTENDEES: Bob Koontz, V3 + Koontz Jones Design
Devin Macfarlane, V3 + Koontz Jones Design
Travis Greene, Moore HL Properties, Inc.

A Neighborhood Meeting was held on Monday, September 22nd, 2025, from 4:00pm to 6:00pm at the Southern Pines Civic Club, located at 105 S. Ashe St. 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 1.5-acre "Clark Street Townhomes" 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. The proposed preliminary plat, options A and B, and list of proposed conditions were provided for review by the owner's authorized agent. The owner and project team were available to answer questions regarding the proposed project.

Six 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.

Bob Koontz and Devin Macfarlane of V3 + 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 for the proposed development and provided a summary of what will be included in the development. It was explained that a total of 16 dwelling units, consisting of single-family attached townhomes, will be developed. It was explained to attendees where access will be provided, primarily from Clark St as well as from Midlothian Dr, overall proposed parking options, and pedestrian accessibility. The

project team highlighted that the townhomes will be appealing and have depth and variety in articulation, design, and color. It was explained that all trees will be preserved throughout the site that do not directly interfere with essential site elements, and vegetation will be proposed around the buffers of the 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, Suburban Settlement, outlined in the Town’s Comprehensive Plan.

What is being done to deal with traffic in and out of the site on Midlothian Dr?

- The project team explained the requirements for site accessibility and fire code would require a minimum two points of egress. It was also explained that the drive into the site would be private and not for through traffic. The property owner expressed to residents that they would have no issue with adding a gate to the private drive to prohibit through traffic onto Midlothian Dr.

How will the development affect views across Midlothian Dr?

- The project team explained how the proposed development will feature attractive and varied articulation on all townhomes, and the architectural style will be designed to reflect the character of the neighboring Suburban Settlement district in Southern Pines. It was explained that the site will conform with the buffer requirements of the UDO, and existing trees within the Midlothian Dr and Clark St right-of-way will be preserved wherever possible. The project team further explained that this site plan will save significantly more trees than the previously approved plan.

What will the proposed units cost?

- The project team explained that unit costs have not been determined at this point in the process, but the site is designed to provide “missing middle” housing opportunities. The increased density of townhomes will enable the developer to sell each townhome lot at a lower cost per unit, further promoting attainable housing for Southern Pines residents.

The project team considered all comments and feedback from the attendees. It was determined that this warranted a minor revision to the layout and design of the submitted application by adding an emergency access only gate on the Midlothian Dr side of the project, restricting typical traffic to enter and exit the site exclusively from Clark St. The updated proposed preliminary plat plans have been included with this report.



Devin Macfarlane, 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.

Planning Staff Report

To: Reagan Parsons, Town Manager

From: Mason Mattox, Planner II

Date: October 14, 2025

Item: **PD-03-25 (Veterans Guardian)** Review of a Preliminary Development Plan in the Southern Pines Corporate Park.

I. EXECUTIVE SUMMARY

Tim Carpenter of LKC Engineering, on behalf of Veterans Guardian, has submitted a Planned Development District – Preliminary Development Plan application to develop approximately 8.67 acres of the Southern Pines Corporate Park. The site, located on the west side of Air Tool Drive and the east side of Tyler Industrial Court, is proposed to be developed into office space for Veterans Guardian.

The site plan attached to this report shows the following:

1. Plans for a 27,390 square foot, two-story office building, 246 off-street automobile parking spaces (including 12 accessible spaces), and 6 bicycle parking spaces.
2. The project will also include required landscaping, buffers, and stormwater facilities.
3. No open space has been displayed on this lot, as the overall PD open space requirement is shown to be met on other tracts of land.

Planning staff recommends approval for reasons described in the staff report, chiefly that no inconsistencies or deviations between the approved Conceptual Development Plan and this Preliminary Development Plan have been found.

The Town Council will need to make the following key decisions following an evidentiary hearing:

- I. Does the PDP application comply with the approved CDP?

The applicant has also submitted an application requesting watershed allocation, which staff support granting due to the location being in the Corporate Park, where density is desired. (File #WP-04-25)

TABLE OF CONTENTS

Planning Board Review.....	2
Project Information and Overview.....	3
○ Preliminary Development Plan.....	4
Staff Review.....	5
Attachments.....	8
Town Council Action.....	8

II. PLANNING BOARD REVIEW

On September 18, 2025, the Town of Southern Pines Planning Board held a preliminary forum to discuss application PD-03-25. Planning staff made a presentation on the plan, and explained staff's assessment on how the proposed Preliminary Development Plan is consistent with the Conceptual Development Plan of the Corporate Park. The applicant's technical representative and authorized agent, Tim Carpenter (LKC Engineering) also gave a presentation.

The Planning Board then voted unanimously (5-0) to convey the following list of concerns to the Town Council:

None.

III. PROJECT INFORMATION

A. Property Owners
BAT Properties, LLC
&
RAB Investments,
LLC

B. Applicant
Veterans Guardian

C. Authorized Agent
Tim Carpenter
(LKC Engineering)

D. Property Information

- Street Address: N/A; Air Tool Drive.
- Size of Property: ±8.67 Acres.
- Property Zoning: Planned Development (PD)
- Active Entitlements:
 - Conditional Use Permit (File #CU-03-06)
 - Conceptual Development Plan (File #Z-01-14).
- The subject property falls fully within the High-Quality/Protected Watershed Protection Overlay.
- Utilities (Water and Sewer) are existing via Air Tool Drive.

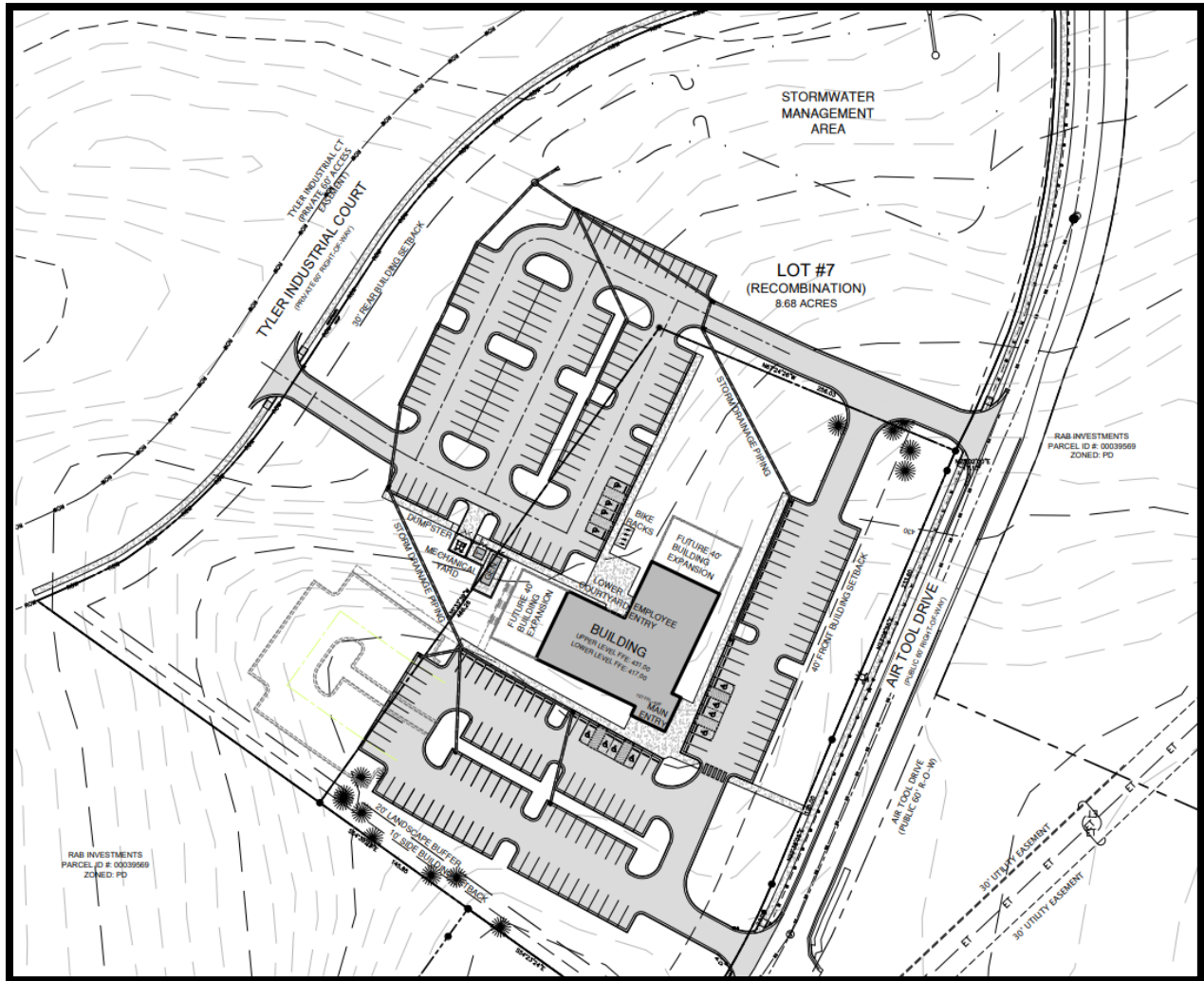
Figure 1: Zoning Vicinity Map (Approximate Property Boundary Shown in **Orange**).



Figure 2: Vicinity Aerial Image (Approximate Property Boundary Shown in **Orange**).



Figure 3: Preliminary Development Plan



IV. STAFF REVIEW

A. Application Review Dates

- Approval of CDP (#Z-01-14): May 13, 2014
- Consultation with the Technical Review Committee: June 17, 2025
- Preliminary Development Plan Application Submitted: July 28, 2025
- Application Deemed Complete: August 26, 2025
- Notice of September 18, 2025 Planning Board Preliminary Forum:
 - Posted On-site: August 27, 2025
 - Mailed: August 27, 2025
 - Internet: August 27, 2025
 - Published: September 03 and September 10, 2025
- Request for Agency Comments: August 27, 2025
- Notice of October 14, 2025 Town Council
 - Posted On-site: August 27, 2025
 - Mailed: September 22, 2025
 - Internet: September 17, 2025
 - Published: September 03 and September 10, 2025

B. Process and Standards of Review

Applications for a Planned Development District (PD) are reviewed in accordance with UDO §2.18. Creating a Planned Development District is a three-step process including Conceptual Development Plan (CDP), Preliminary Development Plan (PDP), and Final Development Plan (FDP). This application is for a PDP.

C. Applicable Criteria for Review

The criteria for review and approval of a PDP are found in Chapter 2, §2.18.5(H), of the Town of Southern Pines Unified Development Ordinance. The applicants have provided a narrative addressing the purpose of a Planned Development per UDO §2.18.5(A), and addressing the criteria for a PDP per UDO §2.18.5(H). Copies of the applicant's narrative documents containing their descriptions of the project's alignment with applicable criteria are attached to this staff report. The staff analysis of how the application addresses these four (4) criteria begins below:

Preliminary Development Plan - UDO §2.18.5(H)

I. The application demonstrates that it will achieve the purposes of the PD and this section.

The applicant's narrative states that the PD purpose will be met by delivering a high-quality Veteran Affairs service facility that qualifies as a supportive use under the CDP, strengthening economic diversity and local employment, and advancing coordinated site design and infrastructure efficiency. It also demonstrates compliance with dimensional standards and the 25% cap on supportive uses. Planning staff agrees that this Preliminary Development Plan application meets the purpose of the Planned Development.

2. The Preliminary Development Plan is consistent with the Conceptual Development Plan and conforms to all applicable provisions of this UDO;

Staff find the Preliminary Development Plan to be consistent with the Conceptual Development Plan and all applicable provisions of the UDO. Staff have noted additional items below, and their impact on this application:

Architectural Compliance

An Architectural Compliance Permit will be required as a part of Site Plan review, as the land use is not Industrial by nature, and is therefore not exempt from the Architectural requirements of UDO §2.16 and UDO §4.10.4.

Watershed Credit Allocation

This tract of land is located within High Quality/Protected Water, which limits the maximum impervious surface to a maximum of 24%. The applicant has submitted Watershed Allocation Application (#WP-04-25) concurrently with this application. If approved, the new maximum impervious surface would be 70%. According to the applicant, once fully built-out, the site would contain approximately 60% impervious surfaces. Staff recommend the approval of 8.67 acres of watershed allocation for this PDP, citing the Corporate Park being one of the most desirable places for density and more intensive land uses.

Open Space and Connectivity

The entire Corporate Park is required to have 20.958 acres of open space, of which 10.479 acres must be usable. This PDP does not propose any open space, instead citing the Conceptual Open Space Plan of the CDP, which staff agrees does not display open space as being present on this tract of land.

Parking

The CDP requires one parking space per every 250 square feet of gross floor area as a minimum. The proposed office building would be 27,390 sf, meaning that 110 automobile spaces are required. The application proposes 246 spaces, with 12 being accessible spaces. The CDP neither requires nor exempts bicycle parking; therefore, Planning staff noted §UDO 4.5 which requires 1 bicycle space per 5,000 square feet of floor area for the land use of professional offices. Therefore, the required number of bicycle parking spaces is 6, to which the PDP application matches.

Proposed Land Use

The land use of Veteran Affairs (LBCS 6567) is explicitly listed in the CDP as a Non-Industrial (Supportive) use, permitted within the Corporate Park. The Planned Development requires 75% of the land to be used for industrial land uses, and 25% of the land to be used for non-industrial/supportive land uses. This land use does not yet exist in the Planned Development, therefore the default maximum acreage of non-industrial/supportive land uses is just under 20 acres. Pending approval of this application, about half of that allocation would be used, meaning that approximately 10 acres would remain for future industrial/supportive land uses.

Tree Protection

As displayed in Figure 2, the site is presently densely wooded. Staff find that full clearing of the site would remove valued natural character, which the 2040 Comprehensive Plan (Policies 4.9 and 4.10) seek to preserve. As such, pursuant to the PDP criteria for approval, the purpose of the PDP (under UDO §2.18.5), and Comprehensive Plan policies 4.9 and 4.10, staff will recommend that Council adopt a condition to preserve this natural character, with language similar to that below:

Condition Example:

All existing trees, 10-inch diameter and larger, that do not interfere with essential site grading or the installation of building footprints, vehicle access areas, or utilities shall be preserved to protect the town's natural character.

- The developer shall identify, during site plan review, which trees will be retained and which trees are essential to remove. Town staff shall confirm that the trees are essential to remove before approving the site plan.
- Town staff will also verify tree protection fencing for trees counting toward existing vegetation credit and any other necessary aspects of this condition during site plan review.
- The developer may request a reduction in tree protection fence radius for trees counting toward existing vegetation credit under UDO §4.3.13. Town staff shall grant requested tree protection fence radius reductions contingent on Town Arborist concurrence that a given reduction will not significantly impinge tree viability.

A condition that keeps this application consistent with the 2040 Comprehensive Plan, that are also proportionate and reasonable given the scope of the project, also ensure consistency with the first criterion of the PDP.

Wetlands

Staff were initially concerned about the presence of wetlands on site according to the Town's GIS, and requested that the applicant submit a wetlands delineation. The applicant then provided a wetlands delineation, which does not display any wetlands on site, resolving any potential concerns. The delineation has been included with this staff report as Attachment 5.

3. The proposed Development is located in an area of the Town that is appropriate.

The proposed development is located in an appropriate area of the Town, within the boundaries of the Southern Pines Corporate Park. This location is designated as an Employment Center in the Town's 2040 Comprehensive Plan and is intended to accommodate office, industrial, and supportive uses. The project is compatible with surrounding land uses, which include other industrial, administrative, and storage facilities. The Corporate Park benefits from strong transportation connections, especially to US-1, making it a suitable and strategic location for offices.

4. The proposed Development will not cause the need for inefficient extensions and expansions of public facilities, utilities and services.

The proposed development will not result in any inefficient extensions of public infrastructure. The property already has access to public water from Air Tool Drive, and public sewer from Air Tool Drive and Tyler Industrial Court. Other necessary infrastructure such as stormwater management measures will be contained entirely within the northern portion of the site. The project is therefore expected to be integrated efficiently into existing infrastructure without creating a strain on demands.

V. OUTSIDE AGENCY REVIEW AND COMMENTS

A request for comments was emailed to agencies on August 27, 2025. Agencies notified include Town of Southern Pines Streets, Utilities, Fire, Recreation and Parks, and Engineering departments, the Regional Land Use Advisory Commission, U.S. Fish and Wildlife Service, Moore County Airport and the North Carolina Department of Transportation. As of September 11, 2025, only the Regional Land Use Advisory Commission (RLUAC) has noted that the site is designated as “Important to Protect” within Fort Bragg’s High-Quality Waters drainage area and encourages measures to limit stormwater runoff impacts on McDeeds Creek; while the proposed development poses no military compatibility concerns, RLUAC’s non-binding recommendations aim to support overall regional environmental and military mission compatibility. Any additional agency comments received between the writing of this report and the preliminary forum will be presented at the forum.

VI. STAFF RECOMMENDATION

Planning staff recommend approval of the Preliminary Development Plan for Veterans Guardian, finding it consistent with the Conceptual Development Plan. The project represents an appropriated use within the Southern Pines Corporate Park.

VII. ATTACHMENTS

The following materials have been provided as attachments to this staff report:

1. Draft Findings of Fact
2. Applicant’s Narrative
3. Applicant’s Plans
4. RLUAC Letter
5. Wetland Delineation
6. Watershed Allocation Application

VIII. TOWN COUNCIL ACTION

To either approve or deny a Preliminary Development Plan 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 2.18.5(H) Criteria for a Preliminary Development Plan, Criteria 1-4. Staff has 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 I of the staff report, as drafted, as Findings of Fact for PD-03-25.**

-OR-

2. Adopt Attachment I of the staff report as Findings of Fact for PD-03-25, with the following changes:

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

I move to:

- 1. Approve the Preliminary Development Plan for PD-03-25 with the one Condition of Approval as set forth in the staff report.**

Condition 1 – Natural Character Preservation.

All existing trees, 10-inch diameter and larger, that do not interfere with essential site grading or the installation of building footprints, vehicle access areas, or utilities shall be preserved to protect the town's natural character.

- The developer shall identify, during site plan review, which trees will be retained and which trees are essential to remove. Town staff shall confirm that the trees are essential to remove before approving the site plan.
- Town staff will also verify tree protection fencing for trees counting toward existing vegetation credit and any other necessary aspects of this condition during site plan review.
- The developer may request a reduction in tree protection fence radius for trees counting toward existing vegetation credit under UDO §4.3.13. Town staff shall grant requested tree protection fence radius reductions contingent on Town Arborist concurrence that a given reduction will not significantly impinge tree viability.

Condition 2 - Allocate Watershed Exemption. *±8.67 acres of 5/70 exemption allocation are granted with application PD-03-25, Veterans Guardian.*

-OR-

2. Deny the Preliminary Development Plan for PD-03-25.

ATTACHMENT I
Draft Findings of Fact
Case Number PD-03-25

- A. The Town Council finds that the application is complete and that the facts submitted are relevant to the case because the Preliminary Development Plan application has met the specified submittal requirements in accordance with the Town of Southern Pines Unified Development Ordinance (UDO). The applicant has submitted sufficient documentation and narrative addressing the applicable criteria for a Preliminary Development Plan, and staff has reviewed the materials for accuracy and consistency with adopted regulations.
- B. The Town Council finds that the Preliminary Development Plan application complies with the provisions of UDO §2.18.5(H). Specifically in that:
- I. The application demonstrates that it will achieve the purposes of the PD and this section. This includes a condition to optimize natural character preservation and minimize tree loss during development. The Town Council further finds that the existing natural tree cover on the site contributes to the Town’s natural character. Including the following condition ensures consistency with the PDP purpose, under UDO §2.18.5(A)(1), and Comprehensive Plan policies 4.9 and 4.10:
 - All existing trees, 10-inch diameter and larger, that do not interfere with essential site grading or the installation of building footprints, vehicle access areas, or utilities shall be preserved to protect the town's natural character.
 - The developer shall identify, during site plan review, which trees will be retained and which trees are essential to remove. Town staff shall confirm that the trees are essential to remove before approving the site plan.
 - Town staff will also verify tree protection fencing for trees counting toward existing vegetation credit and any other necessary aspects of this condition during site plan review.
 - The developer may request a reduction in tree protection fence radius for trees counting toward existing vegetation credit under UDO §4.3.13. Town staff shall grant requested tree protection fence radius reductions contingent on Town Arborist concurrence that a given reduction will not significantly impinge tree viability.

The Town Council also finds that the application demonstrates that it will achieve the purposes of the Planned Development district in that the proposal provides a Veteran Affairs facility as a supportive use within the PD and aligns with the allowable mix of industrial and supportive uses, including maintaining the 25% cap on supportive uses.

2. The Preliminary Development Plan is consistent with the Conceptual Development Plan and conforms to all applicable provisions of this UDO. Once the project receives a Watershed Exemption Allocation it will comply with UDO Exhibit 3-14 and all other applicable regulations. The Town Council also finds that the Preliminary Development Plan is consistent with the approved Conceptual Development Plan.

The Plan meets the CDP's requirements for land use allocation, parking, and dimensional standards.

3. The proposed Development is located in an area of the Town that is appropriate.
The Town Council finds that the proposed PDP is located in an appropriate area of Town because the development is within the Southern Pines Corporate Park, which is designated for industrial and supportive uses.
4. The proposed Development will not cause the need for inefficient extensions and expansions of public facilities, utilities, and services.
The Town Council finds that the proposed development will not require inefficient extensions of public facilities, utilities, or services. The property has existing access to public water and sewer via Air Tool Drive, and all other necessary infrastructure improvements will be contained within the site.

Preliminary Development Plan Narrative
Veterans Guardian Corporate Headquarters
Southern Pines Corporate Park | Town of Southern Pines, NC

General Description:

This Preliminary Development Plan (PDP) is submitted for the proposed **Veterans Guardian corporate office**, to be located within the **Southern Pines Corporate Park**. The subject parcel (Lot #7) contains **approximately 8.67 acres** and is situated on **Air Tool Drive**, between US Hwy 1 and Yadkin Rd. The project site lies within an existing **Planned Development (PD)** zoning district as approved under **Zoning Case Z-01-14** in May 2014.

Veterans Guardian is a professional services company that supports United States Veterans by providing expert assistance in navigating VA processes for benefits acquisition. The proposed development is classified under **LBCS Code 6567 (Veteran Affairs)** and is listed as a permitted **supportive land use** in the PD zoning documents adopted under Z-01-14.

The site will include the development of a **27,390 square foot, two-story office building**, 246 off-street automobile parking spaces (including 12 accessible spaces), and 6 bicycle parking spaces. The project also includes required landscaping, buffers, and stormwater facilities. No additional open space is required on this lot as the **overall PD open space requirement has been met** within the boundaries of the Corporate Park as a whole.

Compliance with UDO Section 2.18.5(H) Criteria:

(1) Achieving the Purposes of the PDD and this Section

The proposed development fulfills the purposes of the Planned Development District (PDD) and the requirements of UDO Section 2.18 by:

- Contributing to the **intent of the PD district**, which allows for a coordinated mix of industrial and supportive uses in a campus-style setting;
- Providing a high-quality facility for **Veteran Affairs-related services**, which aligns with the supportive uses described in Table 1a of Z-01-14;
- Enhancing the economic diversity of the Corporate Park and supporting the employment base of Southern Pines;
- Promoting **efficiency in land use**, coordinated infrastructure, and site design as envisioned in the original PD approval;

- Complying with all dimensional standards and land allocation ratios (i.e., maintaining supportive uses within the allowed 25% cap).

(2) Consistency with the Conceptual Development Plan and UDO

This PDP is **consistent with the Conceptual Development Plan (CDP)** adopted for the Corporate Park. The development:

- Matches the intended land use pattern outlined in the PD Site Plan;
- Adheres to zoning regulations established in Z-01-14 including setbacks, parking, site coverage (46.09% of parcel, below 70% max), and use category;
- Supports the PD zoning’s requirement that **75% of developable land** be reserved for industrial uses and **no more than 25%** be developed as supportive uses;
- Relies on shared open space requirements met by the larger development (20.96 acres required; 23.68 acres provided across the Corporate Park);
- Is aligned with the Town’s Comprehensive Plan, the Official Zoning Map, and the design principles of the Unified Development Ordinance (UDO).

(3) Appropriate Location within the Town

The development is ideally located within a **designated Planned Development node** at the intersection of major corridors (US Hwy 1 and Air Tool Drive), which is identified for corporate, industrial, and supportive office growth. The site:

- Lies within the bounds of a master-planned and previously approved PD district;
- Is **adjacent to other compatible industrial and supportive land uses** (e.g., manufacturing, storage, and administrative services);
- Provides **easy access to transportation and utilities** without burdening adjacent residential areas.

(4) No Inefficient Extension of Public Infrastructure

The project will not require any new or inefficient expansions of public infrastructure. Specifically:

- The property is already has access to **public water and sewer** that is located in and along Air Tool Drive.
 - The site is accessed directly from **Air Tool Drive**, an existing public road;
 - Internal infrastructure (e.g., parking, drainage, landscaping) is contained wholly within the lot boundaries and in compliance with the Town’s design and performance standards.
-

Conclusion:

The Veterans Guardian Corporate Office project meets all criteria under UDO Section 2.18.5(H) and is fully consistent with the goals and requirements of the Planned Development zoning in Southern Pines. It will provide an essential public service use that supports veterans, while complementing the industrial and employment-focused character of the Southern Pines Corporate Park. All applicable provisions of the UDO, Conceptual Development Plan, and Zoning Case Z-01-14 are satisfied in this application. Accordingly, we respectfully request approval of this PDP.







2040 Comprehensive Plan References

In the Town's 2040 Comprehensive Plan there are several sections in which the Corporate Park are mention or have relevance and to which we believe that this submittal is consistent with the Comprehensive Plan.

The Southern Pines Corporate Park is shown as an "Employment Center" in the comprehensive plan Conservation and Development Map.

EMPLOYMENT CENTERS: This category describes land providing opportunities to concentrate employment in the town's planning jurisdiction on normal workdays. They support both large- and small-scale offices, warehouses, manufacturing centers, or flex space buildings organized as 1) large, single-use centers or 2) multi-business centers that support and serve one another. Office developments should typically be buffered from surrounding development by transitional uses or landscaped areas, and should be located in close proximity to major highways or thoroughfares. Industrial developments should typically be buffered from surrounding development by tree preservation areas or landscaped areas that vary in type and size as a function of the activities being performed on the site. They should be located in close proximity to major highway or railroad corridors. In large employment centers, space should be reserved for athletic fields, walking trails, or nature preserves that are accessible to employees and the public. Walking trails on a site should connect to the town's proposed greenway network when possible. Small retail buildings may be included in larger employment centers to serve employees' daily needs (e.g., dry cleaner, small restaurant, or convenience store). Employment Center

Conservation and Development Map Category Crosswalk

EXISTING ZONING CATEGORIES	 		   			
	Open Space	Rural Living	Neighborhoods	Retail Centers	Employment Centers	Mixed-Use Activity Areas
Rural Estate (RE)		●				
Rural Residential (RR)		●				
Residential Single-Family (RS-1)			●			●
Residential Single-Family (RS-2)			●			
Residential Single-Family (RS-3)			●			
Residential Multi-Family, Medium Density (RM-1)			●			●
Residential Multi-Family, Low-Density (RM-2)			●			●
Central Business (CB)						●
General Business (GB)				●		
Neighborhood Business (NB)				●		●
Office/Service (OS)				●	●	●
Industrial (I)					●	●
Facilities, Resources, and Recreation (FRR)	●		●		●	●

62 Southern Pines 2040 Comprehensive Plan
Chapter 2: Growth and Conservation Framework 63

In the Comprehensive Plan the Corporate Park is considered a Suburban Settlement under Character Districts of the Plan:

Suburban Settlements Suburban settlements represent more traditional suburban-style development types, patterns, and intensities observed throughout the United States for the last several decades: shopping centers, **office parks, industrial parks**, singlefamily neighborhoods, or apartment complexes. Non-residential buildings may include franchise architecture or signage. Residential buildings may be limited to the type and number of models offered by the neighborhood developer. Large surface parking lots and lower levels of landscaping are typical in the settlements. Suburban settlements are located throughout the town’s planning area, including U.S. 501, Morganton Road, May Street, **Air Tool Drive**, Midland Road, and several isolated developments in and around the more rural portions of the town’s planning area.

Non-Residential Building Types (continued)

Office

A small-to-large (i.e., one to three stories tall) building with a footprint that may reach up to 50,000 square feet in size. The preferred configuration of buildings on a site orient towards a common green or main street. Several small buildings are preferred to fewer large buildings on a site, which should reinforce the feel of a campus or urban, walkable block depending on the context of the surrounding development.



2040 Comp Plan Policies

Policy 9.3:

Continue Supporting Local Businesses and Entrepreneurship in the Community

The town should work with its partners to expand networking and collaboration opportunities for entrepreneurs, artists, start-up businesses, technology innovators, and similar “new economy” businesses. Under this effort, town officials should (1) support seasonal and weekend businesses that enliven public open spaces or natural areas, (2) support pop-up retail uses, (3) continue support for food trucks in recognition that these businesses often transition to brick and mortar locations, (4) provide access to town data, as appropriate, to recruit businesses to Southern Pines or support existing businesses, and (5) identify opportunities and connect businesses with organizations that provide business assistance or mentorship.

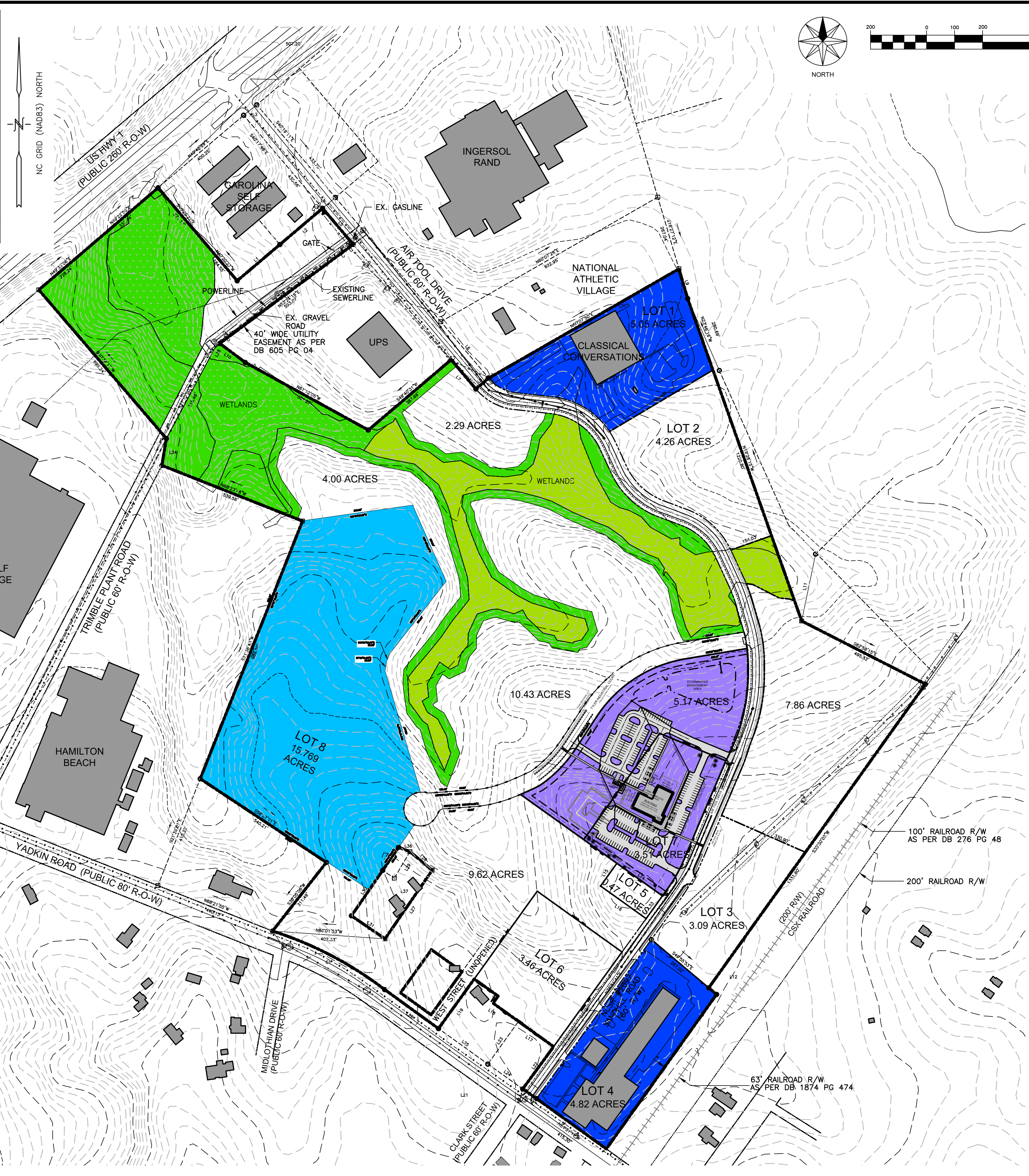
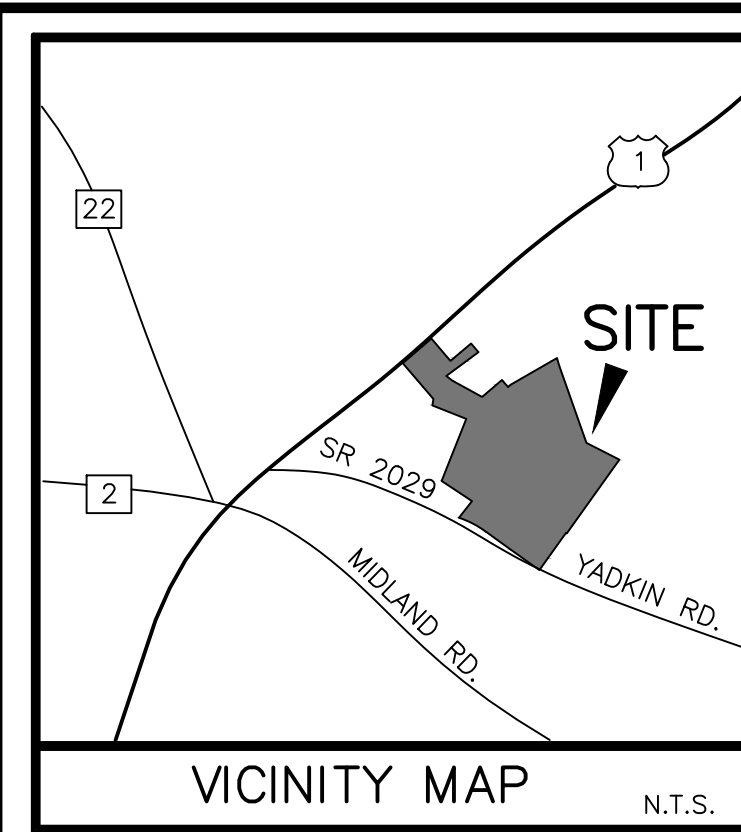
Policy 11.1:

Identify and Protect Areas in Town for Future Non-Residential Development, Particularly Those Uses that Generate Jobs and Bolster the Tax Base

Competition for land in a fast-growing area can sometimes result in parcels that are ideally situated for commercial, office, or industrial uses converting to residential development. The short-term gain realized on these parcels precludes opportunities in the future for job creation and higher levels of tax revenue generation. Delineating key parcels in the community and protecting them for highest and best uses in the future ensures the town has long-term opportunities to be a jobs center in the region.

To this end, town officials should resist reclassifying non-residential development on the Conservation and Development Map to residential uses unless it is part of a mixed-use development proposal. Even in this situation, the residential component of a proposed mixed-use development should be subservient to the non-residential components of the same development.

Town officials should also proactively align zoning with the Growth and Conservation Framework to protect important areas for future employment opportunities.



REVISIONS			
SYM.	DESCRIPTION	DATE	BY

PROPERTY LINE DATA:

LINE TABLE			LINE TABLE		
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	199.89	S49°41'03"W	L20	60.16	N55°08'32"W
L2	200.02	N49°41'03"E	L21	43.19	N15°32'10"E
L3	59.80	S51°31'49"W	L22	183.65	N35°51'41"E
L4	59.94	S49°47'27"W	L23	185.09	S35°41'16"W
L5	168.91	S40°17'48"E	L24	152.91	N54°29'28"W
L6	264.05	S40°20'07"E	L25	217.00	N54°16'20"W
L7	136.75	S40°18'44"E	L26	237.23	N54°04'54"W
L8	60.08	S49°41'16"W	L27	297.35	S34°31'16"W
L9	110.38	S16°19'35"E	L28	103.45	S50°08'18"E
L10	113.34	N53°17'21"W	L29	109.71	N30°30'37"E
L11	244.07	N11°46'54"E	L30	197.00	N34°31'16"E
L12	36.58	S49°55'53"E	L31	145.20	N55°28'44"W
L13	60.00	N54°08'19"W	L32	67.59	N34°28'47"W
L14	200.00	N54°25'40"W	L33	100.00	N35°51'41"E
L15	100.00	S35°51'41"W	L34	97.44	N09°20'33"E
L16	200.00	S54°25'40"E	L35	100.00	N34°31'16"E
L17	153.62	S54°20'45"E	L36	43.36	N68°46'56"W
L18	217.11	S54°20'45"E	L37	49.87	N56°05'26"W
L19	184.82	N35°39'14"E			

CURVE TABLE					
CURVE	RADIUS	LENGTH	BEARING	CHORD	DELTA
C1	1317.50'	453.72'	N62°26'17"W	451.48'	19°43'54"

PROPERTY OWNERS:

- SOUTHERN PINES CORPORATE PARK OWNER:**
 RAB INVESTMENTS
 P.O. BOX 4406
 PINEHURST, NC, 28374-4406
 PARCEL ID #: 00039569
 DEED BOOK: 3032, PAGE: 356
- LOTS WITHIN SOUTHERN PINES CORPORATE PARK OWNERS:**
- | | |
|--|--|
| LOT #1: LILY COMMERCIAL
255 AIR TOOL DRIVE
SOUTHERN PINES, NC, 28387
PARCEL ID #: 20071012
DEED BOOK: 4609, PAGE: 458 | LOT #5: WM KING & ANNIE MCKINEY
328 MELROSE DRIVE
CONCORD, NC, 28025-5479
PARCEL ID #: 00035384
DEED BOOK: 385, PAGE: 702 |
| LOT #2: LILY COMMERCIAL
255 AIR TOOL DRIVE
SOUTHERN PINES, NC, 28387
PARCEL ID #: 20160039
DEED BOOK: 4609, PAGE: 484 | LOT #6: PALM COMMERCIAL MANAGEMENT LLC
PO BOX 1341
SOUTHERN PINES, NC, 28388
PARCEL ID #: 20200431
DEED BOOK: 5853, PAGE: 522 |
| LOT #3: JADE GREEN, LLC
100 MAGNOLIA ROAD
PINEHURST, NC, 28374
PARCEL ID #: 20150334
DEED BOOK: 4929, PAGE: 59 | LOT #7: BAT PROPERTIES, LLC
140 AQUA SHED CT
ABERDEEN, NC, 28315
PARCEL ID #: 20200432
DEED BOOK: 5378, PAGE: 343 |
| LOT #4: YADKIN PLACE, LLC
P.O. BOX 4406
PINEHURST, NC, 28374-4406
PARCEL ID #: 00039763
DEED BOOK: 4542, PAGE: 272 | LOT #8: AMAZON.COM SERVICES, LLC
PO BOX 80416
SEATTLE, WA, 98108
PARCEL ID #: 20240897
DEED BOOK: 6279, PAGE: 303 |

PROJECT DATA:

- CORPORATE PARK TOTAL ACRES: 104.79 ac.**
 LOT #1: 5.05 ac. (LILY COMMERCIAL)
 LOT #2: 4.26 ac. (LILY COMMERCIAL)
 LOT #3: 3.09 ac. (JADE GREEN, LLC)
 LOT #4: 4.82 ac. (BAIDAN GROUP, LLC)
 LOT #5: 0.47 ac. (WM KING & ANNIE MCKINEY)
 LOT #6: 3.46 ac. (PALM COMMERCIAL MANAGEMENT)
 LOT #7: 3.51 ac. (BAT PROPERTIES, LLC)
 LOT #8: 15.769 ac. (AMAZON.COM SERVICES, LLC)
 REMAINING LAND: 64.36 ac. (RAB INVESTMENTS)
- ZONING: PD** (PER APPROVED PD ZONING AMENDMENT APPLICATION, MAY 2014, Z-01-14)
- DEDICATED OPEN SPACE: 20% GROSS AREA (REQUIRED)**
 OPEN SPACE REQUIRED: 104.79 x .20 = 20.958 ac.
 OPEN SPACE PROVIDED: 23.68 ac.
 USEABLE OPEN SPACE REQUIRED (50% OF REQUIRED OPEN SPACE) = 10.479 ac.
 USEABLE OPEN SPACE PROVIDED: 16.37 ac. (6.41 ac. WETLANDS @ 39.15% TOTAL USABLE OPEN SPACE)
 COMMON OPEN SPACE PROVIDED: 7.31 ac.
- DEVELOPABLE LAND: 81.11 ac.**
 INDUSTRIAL LAND USE (75% OF DEVELOPABLE LAND): 60.83 ac.
 EXISTING DEVELOPED INDUSTRIAL LAND: 9.87 ac.
 LOT #1: LAND USE# 4211-NEWSPAPERS, BOOKS, PERIODICALS, ETC.
 LOT #4: LAND USE# 3000- MANUFACTURING AND WHOLESALE TRADE
 PROPOSED INDUSTRIAL DEVELOPMENT: 15.769 ac.
 LOT #8: LAND USE - DISTRIBUTION CENTER
 REMAINING INDUSTRIAL ACRES: 35.19 ac.
- SUPPORTIVE LAND USE (25% OF DEVELOPABLE LAND): 20.28 ac.**
 EXISTING DEVELOPED SUPPORTIVE LAND USE: 0.00 ac.
 PROPOSED SUPPORTIVE DEVELOPMENT: 8.68 ac.
 RECOMBINED LOT #7: LAND USE # 6567- VETERAN AFFAIRS
 REMAINING SUPPORTIVE ACRES: 11.60 ac.
- IMPERVIOUS SURFACE: 56.78 ac. (TOTAL IMPERVIOUS ALLOWED)**
 INDUSTRIAL LAND USE (70% OF DEVELOPABLE LAND: 60.83ac): 42.58 ac. (INCLUDES AIR TOOL DRIVE R-O-W)
 EXISTING DEVELOPED INDUSTRIAL LAND: 7.51 ac.
 PROPOSED INDUSTRIAL DEVELOPMENT: 9.37 ac.
 REMAINING INDUSTRIAL ACRES: 25.70 ac.
- SUPPORTIVE LAND USE (70% OF DEVELOPABLE LAND: 20.28ac): 14.20 ac.**
 EXISTING DEVELOPED SUPPORTIVE LAND USE: 0.00 ac.
 PROPOSED SUPPORTIVE DEVELOPMENT: 5.2 ac. (INCLUDING FUTURE USE)
 REMAINING SUPPORTIVE ACRES: 9.75 ac.
- WATERSHED: (PER MOORE COUNTY G.I.S. DATA)**
 BASIN: CAPE FEAR RIVER
 STREAM: LITTLE RIVER (INTAKE #2)
 TYPE: WS-IIIB-NV
 HIGH QUALITY WATERS: YES
 FLOOD ZONE: NONE

C:\Users\salazar\AppData\Local\Temp\AcPublish_42552\Corp Park Sketch Plan2_UPDATED.dwg salazar 26/09/25 - 3:36 P

LKC Engineering, pllc
140 Aqua Shed Court
Aberdeen, NC 28315
O: 910.420.1437
F: 910.637.0096
lkceengineering.com
License No. P-1095

Engineering
Landscape Architecture
Surveying

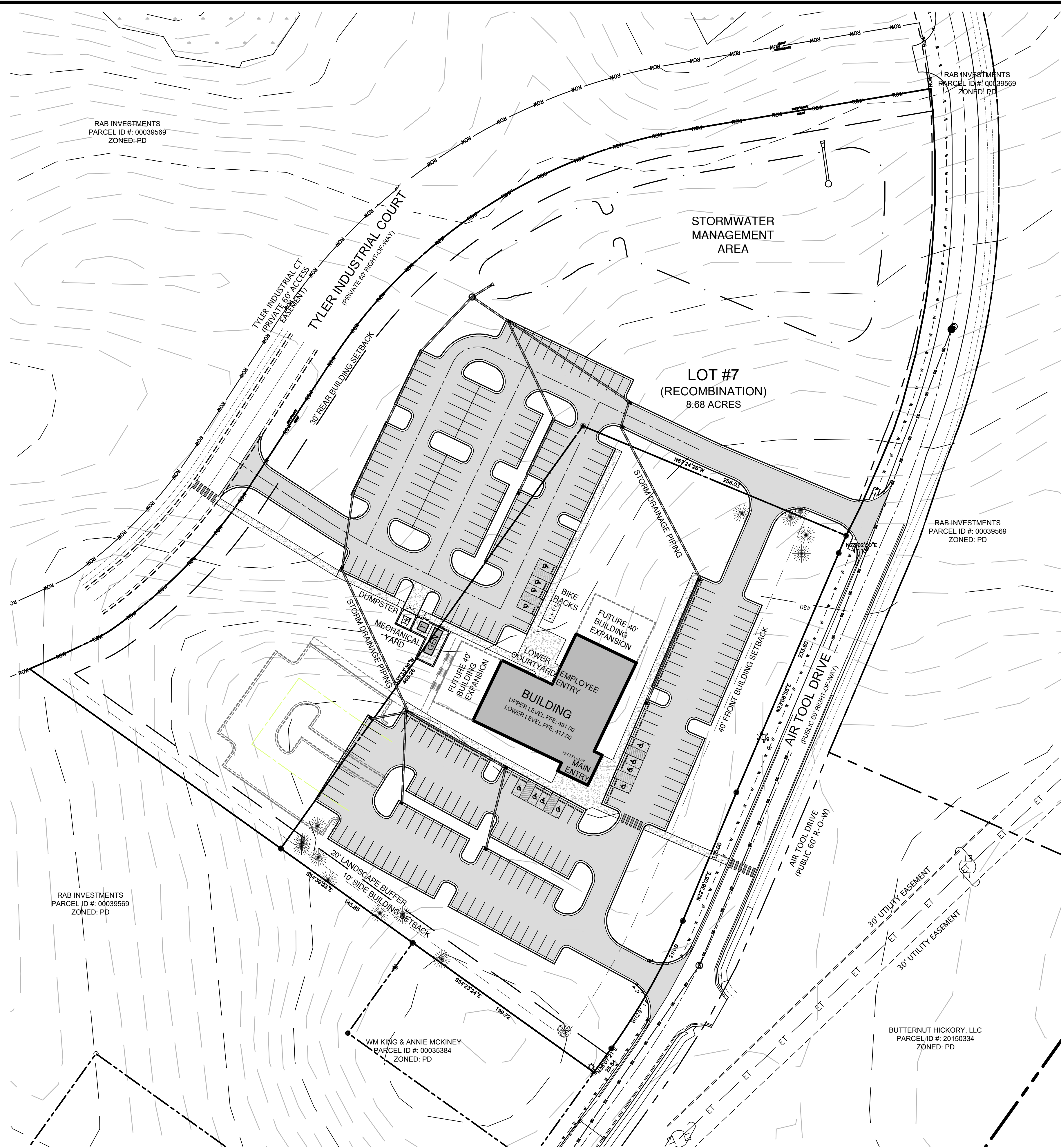
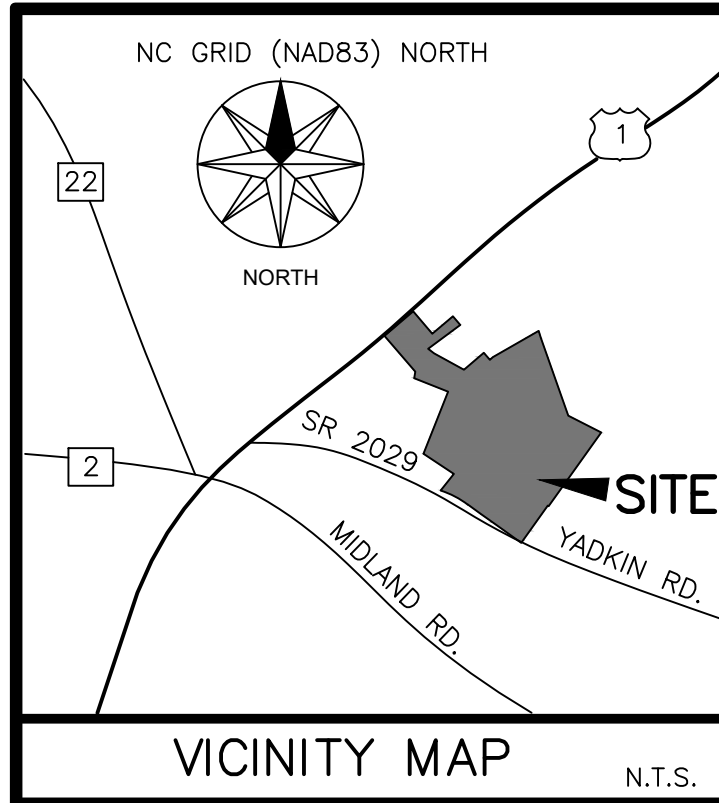
LKC

Corporate Park
PDD Site Plan

Southern Pines
Corporate Park

DATE: 7-8-25
DESIGNED:
DRAWN:
CHECKED:
NO.

L-1



REVISIONS			
SYM.	DESCRIPTION	DATE	BY

PROPERTY OWNERS:

CURRENT OWNERS:
 RAB INVESTMENTS
 P.O. BOX 4406
 PINEHURST, NC. 28374-4406
 PARCEL ID #: 00039569
 DEED BOOK: 3032, PAGE: 356

BAT PROPERTIES LLC
 140 AQUA SHED CT
 ABERDEEN, NC. 28315
 PARCEL ID #: 20200432
 DEED BOOK: 5378, PAGE: 343

PROPOSED OWNER:
 75 TROTTER HILLS CIRCLE, LLC
 75 TROTTER HILLS CIR
 PINEHURST, NC. 28374
 PARCEL ID #: 96000379
 DEED BOOK: 6103, PAGE: 191

PROJECT DATA:

PROPERTY ACRES: 8.68 ac.
 A RECOMBINATION OF EXISTING LOT#7 (BAT PROPERTIES) 3.51 acs. PLUS 5.17 acs. OF CORPORATE PARK LAND (RAB INVESTMENTS) TO FORM A NEW LOT#7 OF 8.68 acs.

ZONING: PD (PER APPROVED PD ZONING AMENDMENT APPLICATION, MAY 2014)

DEDICATED OPEN SPACE: 0
 SEE SOUTHERN PINES CORPORATE PARK PDD SITE PLAN FOR ALL CORPORATE PARK OPEN SPACE AREA.

LAND USE : SUPPORTIVE LAND, 20.28 ac. TOTAL CORP. PARK ACRES
 EXISTING DEVELOPED SUPPORTIVE LAND USE: 0.00 ac.
 PROPOSED SUPPORTIVE DEVELOPMENT: 8.68 ac.
 REMAINING CORP. PARK SUPPORTIVE ACRES: 11.60 ac.

INTENDED LAND USE:
 LAND USE: #6567 - VETERAN AFFAIRS (PER Z-01-14)

PROJECT IMPERVIOUS SURFACE: 4.45 ac. (51.27% OF PROPERTY AREA)
 5.2 IMPERVIOUS ac. (INCLUDES FUTURE DEVELOPMENT) / 8.68 ac. = 60%

PARKING:
 AUTOMOBILE PARKING: 1 SPACE / 250 sf (PER Z-1-14)
 27,390 sf / 250 = 110 AUTOMOBILE SPACES REQUIRED
 246 AUTOMOBILE SPACES PROVIDED
 (12 HANDICAP, 234 STANDARD)

BICYCLE PARKING: 1 SPACE / 5000sf
 27,390 sf / 5000 = 6 BICYCLE SPACES REQUIRED
 6 BICYCLE SPACES PROVIDED

OPEN SPACE:
 OPEN SPACE PROVIDED: 0 ac. (ALL OPEN SPACE REQUIRED WITHIN CORPORATE PARK HAS BEEN PROVIDED WITHIN THE BOUNDARIES OF THE OVERALL CORPORATE PARK)

LANDSCAPING:
 THE PROPOSED SITE WILL BE PLANTED AND IRRIGATED PER TOWN OF SOUTHERN PINES UNIFIED DEVELOPMENT ORDINANCE.

UTILITIES:
 PROPERTY HAS ACCESS TO EXISTING PUBLIC WATER AND SEWER. ONLY SERVICE LINES FOR WATER AND SEWER SHALL BE REQUIRED TO SERVE THE BUILDING. LOCATIONS OF WATER AND SEWER CONNECTIONS, METERS, VALVES, ETC WILL BE COORDINATED WITH TOWN OF SOUTHERN PINES.

PRELIMINARY PLAT-FOR REVIEW ONLY

I, JEFFERY L. GREEN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM A SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION REFERENCES AS SHOWN); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND (REFERENCES AS SHOWN); THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS NOT PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS _____ DAY OF _____, A.D., 2020.

PROFESSIONAL LAND SURVEYOR
 3972
 LICENSE NUMBER _____

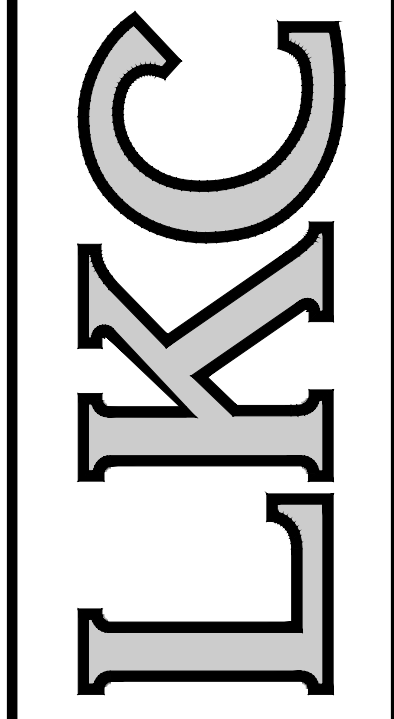
PRELIMINARY PLAT NOTES:
 PRELIMINARY PLAT PREPARED BY LKC ENGINEERING, PLLC, JEFFERY L. GREEN, PLS. #L-3972

C:\Users\salazar\AppData\Local\Temp\AcPublish_42552\Corp_Park_Sketch_Plan2_UPDATED.dwg salazar 26/09/25 - 3:36 P

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCE, OR SALES

LKC Engineering, pllc
 140 Aqua Shed Court
 Aberdeen, NC 28315
 O: 910.420.1437
 F: 910.637.0096
 lkceengineering.com
 License No. P-1095

Engineering
 Landscape Architecture
 Surveying



VETERANS GUARDIAN
 CORPORATE OFFICE
 Site Plan
 (Phase 1)

Southern Pines
 Corporate Park

DATE: _____
 DESIGNED: _____
 DRAWN: _____
 CHECKED: _____
 NO. _____

L-2

RLUAC

Fort Bragg Regional Land Use Advisory Commission

SOUTHERN PINES COURTESY REVIEW

Project: PD-03-25

Location: West side of Air Tool Drive between Yadkin Rd. and US Highway 1

PIN#: 858200940151 and 858200844641

August 28, 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.

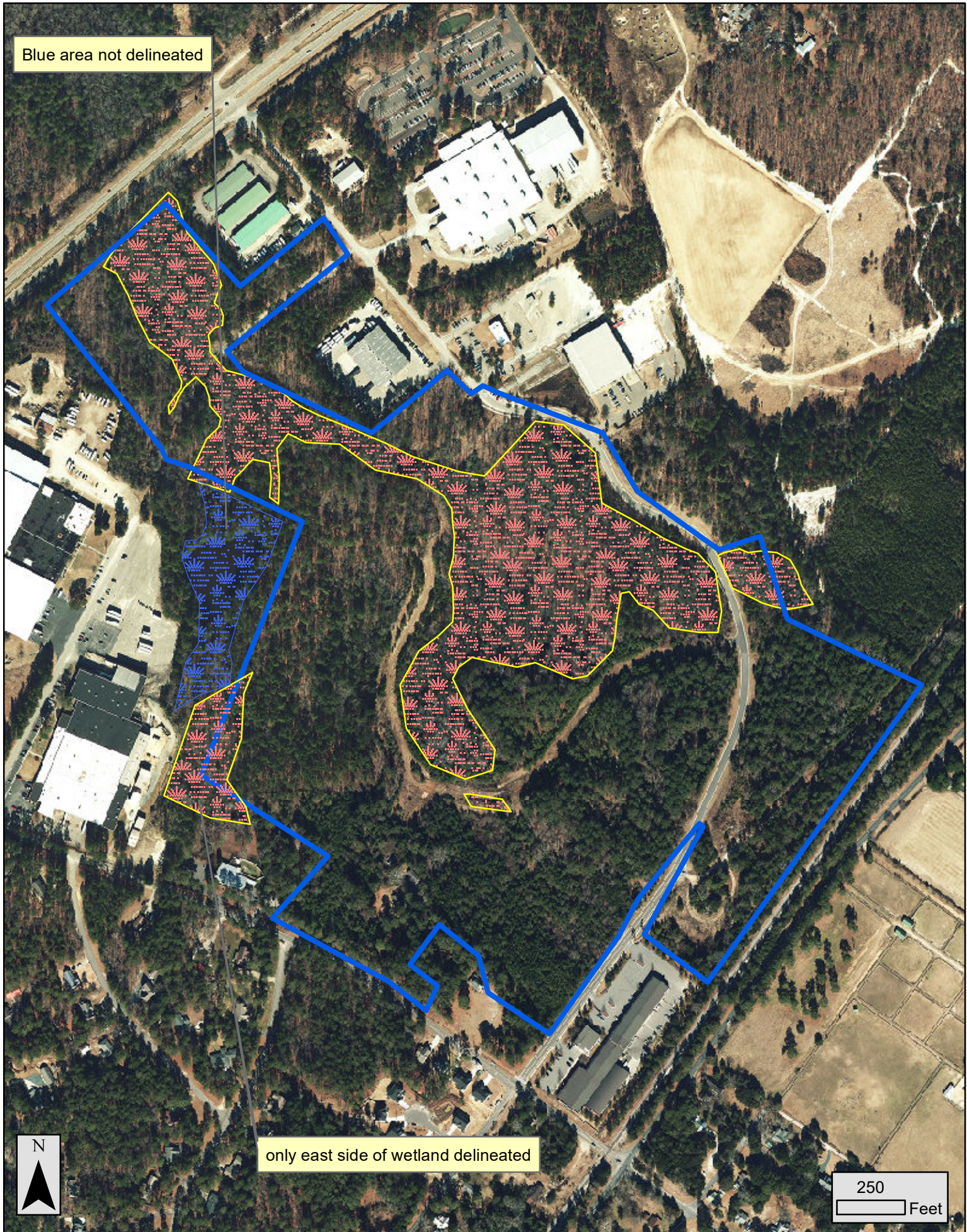
Maintaining the integrity of important environmental assets contributes to the overall compatibility of our region with Fort Bragg's environmental protection mission, which goes hand-in-hand with its military training and operational missions. Beyond the potential environmental impact of the proposed 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 providing the opportunity for RLUAC to review this case.

Hon. Kia Anthony, Chairwoman
Fort Bragg Regional Land Use Advisory Commission

Vagn K. Hansen II, AICP, Executive Director
Fort Bragg Regional Land Use Advisory Commission



Blue area not delineated

only east side of wetland delineated



250
Feet



Watershed Protection Permit Application

REQUIRED APPLICATION MATERIALS:

- Completed Application** for a Watershed Protection Permit signed by the applicant. Please do not leave anything blank and make sure that all of the information provided is correct.
- Appointment of Agent**, if applicable, signed by the property owner(s) and the agent
- Site Plan**
- Vicinity Map**
- Narrative** (if the property is outside of the **CB** zoning district) addressing each of the criteria listed in Exhibit 3-14, Table Note 3, of the UDO
- Electronic copy (PDF) of all application materials** submitted to plan@southernpines.net

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

REVIEW AND APPROVAL:

1. **Staff review:** Planning staff will review the application and notify the applicant if additional materials are needed.
2. **Approval:** The Town Council, at its regular meeting, will review and approve, approve with conditions, or deny the application.

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



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: Veterans Guardian Office Zoning District: PD Total Property Acreage: 8.67
PIN: 858200940151,858200844641 Parcel ID: 20200432,00039569 Watershed: LR Intake #2
Type of Development: Commercial Office Total Built-Upon Area*: 5.20
% of Total Property Acreage Proposed to be Built-Upon Area*: 60%

Applicant:

Name(s): Veterans Guadian Email: mark.christensen@vetsguardian.com
Mailing Address: 75 TROTTER HILLS CIR, PINEHURST, NC 28374 Phone: _____

Authorized Agent, if different from Applicant:

Name(s): Tim Carpenter
Email: tim@lkcengineering.com Phone: 910.639.2410
Mailing Address: 140 Aqua Shed Court, Aberdeen, NC 28315

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

Name(s): BAT Properties, LLC, RAB Investments
Email: tim@lkcengineering.com, chris@occonor.com Phone: 910.639.2410, 910.315.7052
Mailing Address: 140 Aqua Shed Court, Aberdeen, NC 28315


Signature of Applicant

*Definition of Built-Upon 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



RESOLUTION #1132
A Request for NCDOT Study of an Intersection
Central Drive and Fairway Drive

WHEREAS, The Town Council of the Town of Southern Pines, North Carolina (the "Town") has noted multiple accidents at the intersection of Fairway and Central Drives in recent months, causing concern for the safety of the travelling public in this vicinity; and,

WHEREAS, Town staff intends to make signage and other improvements within the Town maintained right-of-way of Fairway drive to improve safety approaching the intersection; and,

WHEREAS, Central Drive, designated as NC22, is a facility maintained by the North Carolina Department of Transportation (NCDOT) and thus significant changes to the intersection lie within their purview,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines, North Carolina, in regular session assembled this 14th day of October, 2025, that:

1. The Town hereby requests that the local NCDOT staff review the subject intersection for potential improvements that will result in a safer environment for the travelling public traversing the proximity of this intersection; and,
2. Any findings of potential improvement be implemented by the NCDOT, including consideration of any interim measures in the event an ultimate solution need be a longer-term project given normal procedural considerations.

Adopted this the 14th day of October 2025.

Taylor G. Clement Mayor

I certify that this Resolution was adopted by the Town Council of the Town of Southern Pines at its meeting on October 14, 2025, as shown in the Minutes of the Town Council meeting for that date.

Elizabeth Robertson, Town Clerk