



## **AGENDA**

**Thursday, May 18, 2023: 6:00 PM**

**Planning Board**

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

### **1. CALL TO ORDER**

### **2. APPROVAL OF MINUTES**

#### **a. March 23, 2023 Regular Meeting**

### **3. PUBLIC HEARINGS**

#### **a. Z-02-23: Rezoning of Hyland Hills Parcel**

Frank Thigpen, Esq., on behalf of Preston Reeves and Julie Reeves, has submitted a request to rezone a 2.6-acre parcel previously under the ownership of Hyland Golf from Facilities, Resources, and Recreation (FRR) to Residential Single-Family (RS-2).

#### **b. Z-03-23: Rezoning of Town Land Off Eastman Road**

The Town of Southern Pines is proposing to rezone a 1-acre parcel from Residential Single-Family (RS-1) to Facilities, Resources, and Recreation (FRR).

The subject parcel is located in the New York Extension neighborhood on the north side of Eastman Road, Parcel ID 00040888.

### **4. UNFINISHED BUSINESS**

### **5. NEW BUSINESS**

### **6. PUBLIC COMMENTS**

### **7. ADJOURNMENT**

## **Agenda Item**

**To: Planning Board**

**Via: BJ Grieve, Planning Director**

**From: Alaina Mallette, Senior Planner**

**Subject: Z-02-23: Rezoning ±2.6 acres located on the west side of Valley View Road between Hyland Hills Road and Skyline Manor Road from Facilities, Resources, and Recreation (FRR) to Residential Single-Family (RS-2); Applicant: Preston Reeves and Julie Reeves**

**Date: May 18, 2023**

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

Frank Thigpen, Esq., on behalf of Preston Reeves and Julie Reeves, has submitted a request to rezone a 2.6-acre parcel previously under the ownership of Hyland Golf from Facilities, Resources, and Recreation (FRR) to Residential Single-Family (RS-2), which has a minimum lot size of 20,000 square feet. The principal uses authorized in the RS-2 zoning district include low-density single-family residential, some utility and utility services, public and private golf courses, some educational and public safety services, and limited agricultural activities. The subject parcel is located in the Hyland Hills neighborhood on the west side of Valley View Road between Hyland Hills Road and Skyline Manor Road.

### **II. PROJECT INFORMATION**

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

No address has been created for the subject property; however, it is located across from 1630 Valley View Road in the Hyland Hills neighborhood.

Parcel ID: 00038516 (PIN 859320707475)

#### **B. Property Owner/Applicant**

Preston Reeves and Julie Reeves  
240 Fairway Avenue  
Southern Pines, NC 28387

#### **C. Authorized Agent**

Frank C. Thigpen, Esq.  
300 Pinehurst Avenue  
Southern Pines, NC 28387

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

The subject property is currently zoned FRR. The principal uses in the FRR zoning district include publicly owned open space and facilities as well as privately owned and man-made resource and recreation areas. It is within the Extra-Territorial Jurisdiction

and the Watershed Protection Overlay district, specifically the Protected Area that corresponds with the State’s high-quality water area.

**E. Comprehensive Long-Range Plan Designation for Future Land Uses**

Within the Town of Southern Pines Comprehensive Long-Range Plan (CLRP) Future Land Use Map, the site is identified as “Residential/Golf”. This category is described as, “areas that include public or private golf courses and residences.” Furthermore, land within the Residential/Golf future land use is intended to also accommodate single-family or attached dwellings at a variety of densities, recreational facilities in addition to the golf course, limited guest accommodations, and limited commercial services intended to serve residents of and visitors to the development.

**III. STAFF REVIEW**

**1. Application Review Dates**

Application Submitted: **March 30, 2023**

Application Complete: **April 17, 2023**

Planning Board Public Hearing Notice: **May 1 (posted on Town website and emailed to agencies); May 2, 2023 (mailed to adjacent landowners); May 3 and 10, 2023 (emailed to The Pilot)**

Planning Board Regular Meeting: **May 18, 2023**

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

When reviewing an application for zoning, the hearing bodies (Planning Board and Town Council) shall consider and be guided by the following criteria, as set forth in UDO §2.17.9 and outlined below.

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

Consistency with the CLRP has been reviewed by looking at the document itself as well as the potential new allowed uses in the proposed RS-2 zoning district. The principal uses authorized in the RS-2 zoning district include low-density single-family residential, some utility and utility services, public and private golf courses, some educational and public safety services, and limited agricultural activities. A comprehensive list of land uses that are allowed in RS-2 can be found in bullet point “(H) Applicant Representations” below. The Future Land Use Map designates the parcel as “Residential/Golf”. Therefore, the proposed new residential zoning district would be consistent with this category.

**Figure 1: Vicinity Zoning Map with 2021 Aerial Basemap** (approximate boundaries of proposed map amendment are outlined in thick yellow lines).



**Figure 2: Subject Property as of April 17, 2023, with Approximate Boundaries of Proposed Map Amendment (in Red).**



***(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.*

Neighboring lands adjacent to the subject parcel are zoned FRR, Residential Multi-Family 1 (RM-1), and RS-2. Across the street on Valley View Road, there are parcels zoned Residential Single-Family 3 (RS-3) and OS. In addition to these and within a quarter-mile from the subject property, there are three additional zones: an General Business Conditional Zoning District (currently, Windridge Gardens), Rural Residential, and Rural Estate (see Z-02-22). Considering this mix of uses and the intended character of each district, the proposed RS-2 zoning would be substantially consistent with the surrounding area.

***(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.*

- FRR is a non-residential or mixed-use zone, according to UDO §3.3.1 Conventional Districts, which was a suitable zone when the property was owned by AKR Properties, LLC—the owners of the Hyland Hills golf course. However, the property was sold to private landowners in January 2023, and FRR does not allow for any residential land uses.

***(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.*

- No health, safety, or welfare concern has been identified based on the information that was provided in the application. Staff has not identified any concerns based on a site visit and routine analysis of the subject parcel and surrounding area. However, it should be noted for the record that no detailed site assessment has been conducted nor is one required in order to request a rezoning.
- There are no historic or archeological sites on the subject property to the applicant's and Planning staff's knowledge.

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

- See comments under “(A) Consistency.”

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

- The rezoning is for a single lot, the ownership of which has substantially changed recently. The lot was originally owned by a neighboring golf course/club, but has since switched to private ownership, which precipitated the rezoning request.
- Furthermore, the applicants assert that publicly owned open space and facilities as well as privately owned and man-made resource and recreation areas authorized in FRR would “be out of place... given the location and relative size of the subject parcel.”

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

- The proposed zoning district’s (i.e., RS-2) current development standards for the subject property—which is approximately 113,250 square feet—are as follows:
  - Maximum height is 35 feet;
  - Minimum lot size is 20,000 square feet, which calculates to a maximum of 5 lots;
  - Minimum lot width is 45’, and the existing lot width is between 300’ and 400’;
  - Minimum front setback from ROW of 30’ and interior side lot line setback of 10’;
  - Minimum rear setback is 30’; and
  - Other development standards would apply to the site.
- For reference, several of the Watershed Protection Overlay district development standards currently are:
  - New Development shall be limited to 1 Dwelling Unit per acre or 12% built upon land area unless (a) the Development disturbance area is less than 1 acre or (b) BMPs or another approved stormwater management-based practices are used;

- New Development with a Development disturbance area less than 1 acre shall be limited to 2 Dwelling Units per acre or 24% built upon land area;
- For Residential Projects: New Development requires a state Stormwater Permit if the Development disturbance area exceeds 1 acre. If the new Development exceeds the 24% built upon area the project may apply for the 5/70 exemption; and
- New Development utilizing BMPs or another approved stormwater management-based practices shall be limited to 2 Dwelling Units per acre or 24% built-upon land area in the Watershed outside of the Critical Area.

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

- The RS-2 zoning district is meant, primarily, to accommodate low-density Single-Family residential land uses (approximately 2.1 Dwelling Units per acre). The district objectives are to (1) Preserve existing Single-Family residential Neighborhoods that have developed at a low-density, and (2) Encourage new residential Development that is Compatible with that in the existing Neighborhoods.
- The boards should consider the full range of possible uses in the proposed RS-2 zone. The authorized uses (either permitted by-right, allowed with supplemental standards, or as conditional uses) are listed below.
  - **RS-2 (proposed district) authorizes, but FRR (current district) does not authorize:** single-family detached dwelling, class a single-family manufactured home, accessory dwelling, assisted-living board and care and adult care group homes, bed and breakfast home or inn, telephone and other wired tele-communications, natural gas service, water service, nursery or preschools, domestic backyard chickens, beekeeping, home occupations, or cluster subdivision; while
  - **FRR authorizes (current district), but RS-2 (proposed district) does not authorize:** markets for farm produce or crafts; air transportation uses; courier and messenger services; towers and antennas taller than 50'; electric substations; drinking water; solid waste collection; waste treatment and disposal; wastewater treatment plants; historical or archeological institution; zoos, botanical gardens, arboreta; golf course resort; horse-riding stables; middle, junior, senior, high schools; college or university; free-

standing cemetery; greenhouse production (no on-premise sales); other special events; and

- **Both districts authorize:** Tele-communications towers and antennas ≤50' tall, utility service distribution lines, wastewater services, public or private golf course, public gyms, natural or other recreational parks, elementary school, public safety facilities, outdoor crop production, special home events, temporary uses, subdivisions (major and minor), and combination uses.

### 3. Outside Agency Comments

- A request for comments was emailed to agencies on May 1, 2023. Agencies notified include Town of Southern Pines Streets, Public Works, Utilities, Fire, Recreation and Parks, and Engineering departments, the Regional Land Use Advisory Commission (RLUAC), United States Fish and Wildlife Services (US FWS), the Moore County Airport, and the North Carolina Department of Transportation (NCDOT).
- RLUAC (Mr. Jeff Sanborn, Chairman; and Mr. Vagn Hansen II, Executive Director) responded on May 8, 2023, and stated, “The parcel is classified as Critical to Protect in the Fort Bragg Compatible Use Rating System due to the presence of active red cockaded woodpecker foraging areas on the site.” Fort Bragg’s environmental protection obligations leads them to discourage any cumulative loss of active red-cockaded woodpecker habitat outside their installations. A loss of habitat elsewhere may lead to greater restrictions or limitations within their installations, which would constrain their training capabilities. They also stated, “Beyond the presence of environmental concerns related to RCW foraging areas, the nature of the zoning proposed for the site does not present any additional compatibility concerns with regard to military training or operations.”
- NCDOT (Ms. Janet James, Assistant District Engineer for Division of Highways Division 8 – District 2) stated that they had no comments to offer.

### 4. Staff Recommendation

Planning staff recommend that the hearing bodies approve the rezoning request for Parcel ID 00038516 from FRR to RS-2.

## IV. ATTACHMENTS

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

1. Draft Planning Board Resolution to Adopt a Written Recommendation for Zoning Map Amendment Application
2. Zoning Map Amendment Application
3. List of Adjacent Property Owners and Legal Description of the Subject Property
4. Deed

5. Narrative for Proposed Amendment
6. Survey and GIS Tax Parcel Update
7. Agency Comments (all)

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 inspections during normal business hours.

## **V. PLANNING BOARD ACTION**

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

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

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

1. The proposed amendments are consistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment 1 of staff report Z-02-23;
2. The proposed amendments are consistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment 1 of staff report Z-02-23 as revised by the Planning Board;
3. The proposed amendments are inconsistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment 1 of staff report Z-02-23 as revised by the Planning Board;

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

- 1.
- 2.
- 3.
- 4.

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

1. Recommend approval of Z-02-23 to the Town Council;
2. Recommend denial of Z-02-23 to the Town Council



**PLANNING BOARD  
RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION  
FOR ZONING MAP AMENDMENT APPLICATION  
Z-02-23**

**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, application materials, documentation, and maps showing the proposed district boundaries—and has conducted a public hearing on May 18, 2023, to listen to public comments, ask questions of the Town’s planning staff, and consider zoning map amendment application Z-02-23.

**NOW, THEREFORE BE IT RESOLVED** that the Planning Board finds and recommends to the Town Council that the proposed amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest, and consistent with the current character of the Hyland Hills neighborhood and the criteria set forth in the Town of Southern Pines Unified Development Ordinance §2.17.9. The Planning Board recommends adopting the zoning map amendment request for Residential Single-Family zoning district with a maximum 20,000 lot size standard (RS-2) on the west side of Valley View Road between Hyland Hills Road and Skyline Manor Road in the extraterritorial zoning jurisdiction of the Town of Southern Pines. The proposed zoning amendment is consistent with the text of the Town of Southern Pines Comprehensive Long-Range Plan (CLRP) considering that the Future Land Use Map categorizes the subject parcel as Residential/Golf. The Planning Board recommends the governing board adopt the zoning amendment for Z-02-23.

**ADOPTED** this the 18<sup>th</sup> day of May, 2023.

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Diane Westbrook, Chairwoman

**ATTEST:**

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Cindy Williams  
Secretary to the Planning Board



## Zoning Map Amendment (Rezoning)

### **REQUIRED APPLICATION MATERIALS:**

- ✓ **Application fee** in the amount of **\$1,500.00**.
- ✓ **Completed Application** for a Zoning Map Amendment (Rezoning) 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.
- ✓ **List of Adjacent Property Owners**: Please list all properties that are that are within two hundred (200) feet of the outermost boundaries of the subject property (**not counting streets, railroads or other transportation corridors**). Attach additional pages if needed. No fewer than ten (10) property owners shall be notified by mail.
- ✓ **Deed** copy to provide proof of ownership and property boundaries.
- ✓ **Reasons for proposed amendment**: Explain the need for the proposed changes to the zoning map. Please provide additional text and/or maps to demonstrate consistency with the approval criteria listed in **UDO §2.17.9 Criteria for Zoning Map Amendments**. The list of criteria is attached.
- ✓ **Survey** of the subject property.
- ✓ **Written metes and bounds description** of the subject property.
- ✓ **Site plan**, if applicable
- ✓ **Electronic copy (PDF) of all application materials** submitted to [plan@southernpines.net](mailto:plan@southernpines.net).

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

### **REVIEW AND APPROVAL:**

1. **Staff review**: Planning staff will review the application and notify the applicant if additional materials are needed.
2. **Public hearings**: The applicant is expected to attend a public hearing on the application before the Planning Board followed by a public hearing before the Town Council the following month. (Please refer to the **Application Processing Timeline** to determine the hearing dates.) The Planning Board will recommend approval, conditional approval or denial to the Town Council. The Town Council will consider that recommendation, as well as evidence and testimony presented, and approve, conditionally approve or deny the rezoning request.
3. **Approval**: The approval of an amendment to the UDO text or Zoning Map does not authorize the use, occupancy, or development of property until the applicant receives necessary development approvals, such as subdivision, site plan and building permits. (UDO §2.17.12)



## Zoning Map Amendment Application

Fee: \$1,500.00

Date Received: \_\_\_\_\_

Case No.: Z-\_\_\_\_-\_\_\_\_

### Project Information:

Street Address: \_\_\_\_\_

PIN: 859320707475 \_\_\_\_\_ Parcel ID: 00038516 \_\_\_\_\_

Site Size: 2.6 acres \_\_\_\_\_ Zoning: RECREATIONAL \_\_\_\_\_

### Applicant:

Name(s): PRESTON REEVES and wife, JULIE REEVES \_\_\_\_\_

Email: Prestonhreeves@gmail.com \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: 240 FAIRWAY AVENUE, SOUTHERN PINES, NC 28387 \_\_\_\_\_

### Authorized Agent, if different from Applicant:

Name(s): FRANK C. THIGPEN \_\_\_\_\_

Email: frank@thigpenjenkins.com \_\_\_\_\_ Phone: 910-693-3741 \_\_\_\_\_

Mailing Address: 300 PINEHURST AVE, SOUTHERN PINES, NC 28387 \_\_\_\_\_

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

Name(s): PRESTON REEVES, and wife JULIE REEVES \_\_\_\_\_

Email: prestonhreeves@gmail.com \_\_\_\_\_ Phone: 334-235-7757 \_\_\_\_\_

Mailing Address: 240 FAIRWAY AVENUE, SOUTHERN PINES, NC 28387 \_\_\_\_\_

1/12/22

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

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

The property which is the subject of this application is located on the Southeast side of Valley View Rd. (St./Ave.), between Skyline Manor (St./Ave.) and U.S. 1 (St./Ave.). The property has a frontage of 306 feet and a depth of 360 feet.

The zoning map amendment sought is based upon Section(s) 3.5.5 of the **Town of Southern Pines Unified Development Ordinance**. The proposed use of the property is as follows:

Residential - single family detached home.

Date: March 27, 2023

Preston

Applicant

John Dean

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

### APPOINTMENT OF AGENT

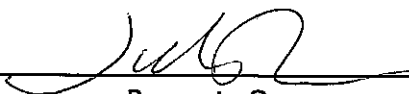
The undersigned owner(s), <sup>and Julie</sup> Preston Reeves, hereby appoint(s) Frank C. Thigpen as the exclusive agent for the purpose of making an application to the Town of Southern Pines for a Zoning Map Amendment for a rezoning of the property described in the attached application. The owner(s) hereby agree(s) that this agent has the authority to act for and on behalf of the owner(s) as follows:

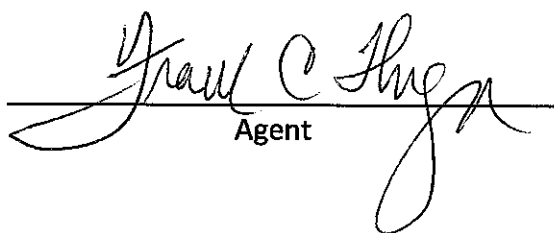
1. to submit an application and required supplemental materials;
2. to appear at public meetings and give representation and comments on behalf of the owner(s);
3. to accept conditions or recommendations made by the Town of Southern Pines Planning Board and Town Council for a Zoning Map Amendment for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

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

Signed this 27 day of March, 2023.

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

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

  
\_\_\_\_\_  
Agent

FRANK C. THIGPEN  
WALTER I. "BUTCH" JENKINS, III  
JAMES H. JENKINS

AARON L. BELL  
WALTER I. "WALT" JENKINS, IV  
Board Certified Specialist in State Criminal Law

# THIGPEN AND JENKINS, L.L.P.

## ATTORNEYS AT LAW

"A FULL SERVICE LAW FIRM"

www.thigpenjenkins.com  
Email: thigpenjenkins@embarqmail.com

PLEASE RESPOND TO ☒

### ROBBINS OFFICE

Post Office Box 792  
131 South Middleton Street  
Robbins, NC 27325-0792  
Telephone: (910) 948-3741  
Toll Free: (877) 948-3741  
Fax (Real Estate): (910) 948-2671  
Fax (Domestic/Civil): (910) 948-2891

### SOUTHERN PINES OFFICE

300 Pinchurst Avenue  
Southern Pines, NC 28387  
Telephone: (910) 693-3741  
Toll Free: (866) 948-3741  
Fax: (910) 692-9831

### BISCOE OFFICE

Post Office Box 1208  
104 East Main Street  
Biscoe, NC 27209-1208  
Telephone: (910) 428-3565  
Toll Free: (877) 428-3565  
Fax: (910) 948-9831

March 30, 2023

Planning Department  
Town of Southern Pines  
801 SE Service Road  
Southern Pines, NC 28387

## RE: Zoning Map Amendment (Rezoning) – Preston Reeves

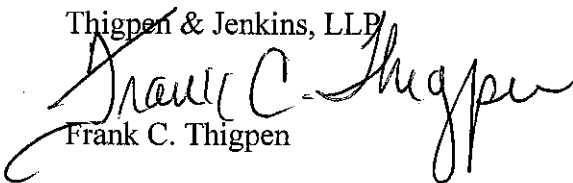
To Whom It May Concern:

I am the authorized agent for Preston and Julie Reeves in connection with their application for a Zoning Map Amendment (Rezoning) for the property identified by Parcel ID 00038516 (PIN 859320707475). Enclosed are all of the documents required by the application, along with a copy of the certified check in the amount of \$1,500 that will be hand delivered to your office. If you need to contact me regarding this application, I can be reached at (910) 693-3741 and Frank@thigpenjenkins.com

With kindest personal regards, I remain

Sincerely yours,

Thigpen & Jenkins, LLP

  
Frank C. Thigpen

Enclosures

## **EXHIBIT A**

Following is a list of adjacent property owners within two hundred (200) feet of the outermost boundaries of the subject property:

1. Art Geffen: 130 Fairway Avenue, Southern Pines, NC 28387, Apts. 248-250 & 228-230
2. Vasili Grassos: 130 Fairway Avenue, Southern Pines, NC 28387, Apts. 238-240 & 226-227
3. Lee Hurtsburg: 130 Fairway Avenue, Southern Pines, NC 28387, Apts. 231-233
4. Todd Tracy: 1615 Valley View Road, Southern Pines, NC 28387
5. AKR Properties LLC: 115 Fairway Avenue, Southern Pines, NC 28387
6. Corey D. Longstreet: 1630 Valley View Road, Southern Pines, NC 28387 (also owns adjacent property Lot 2, Skyline Manor Rd.)
7. Douglas and Patricia Thompson: 1601 Valley View Road, Southern Pines, NC 28387
8. Robert Allen Pipkin: 901 Dover Street, Southern Pines, NC 28387
9. Hyland Hills Motor Lodge Owners Assn.: 130 Fairway Avenue, Southern Pines, NC 28387

## **EXHIBIT B**

For Registration Register of Deeds  
William Britton

Moore County, NC

Electronically Recorded

March 20, 2023 10:49:08 AM

Book: 5987 Page: 97 - 98 #Pages: 2

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

Instrument# 2023003365

## NORTH CAROLINA GENERAL WARRANTY DEED

This instrument prepared by: Frank C. Thigpen, Thigpen and Jenkins, L.L.P.

Mail after recording to: Grantee

**NO TITLE EXAMINATION COMPLETED**

Revenue Stamps-\$ **0**

Brief description for the index: 2.60 Acres +/-

This Deed made this 20<sup>th</sup> day of January, 2023 by and between:

|                                                                                                       |                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| <p><b>GRANTOR:</b><br/><b>AKR Properties, LLC, a North Carolina<br/>Limited Liability Company</b></p> | <p><b>GRANTEE:</b><br/><b>Preston Reeves and wife,<br/>Julie Reeves<br/>240 Fairway Avenue<br/>Southern Pines, NC 28387</b></p> |
|-------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|

WITNESSETH, that the Grantors, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lots, tracts, or parcels of land situated in Moore County, North Carolina, and more particularly described as follows:

BEGINNING AT AN IRON PIPE ON THE WESTERN RIGHT-OF-WAY OF S.R. 1857, LOCATED N 03 31' 07" W, 876.94 FEET FROM N.C.G.S. MONUMENT "WHISPER"; THENCE S 37 38' 04" W, 360.57 FEET TO A CONCRETE MONUMENT, CORNER OF MOTOR LODGE PROPERTY AS RECORDED IN MAP BOOK 10, PAGE 53; THENCE AS SAID MOTOR LODGE N 26 51' 53" W, 142.30 FEET TO A CONCRETE MONUMENT; THENCE S 63 08' 27" W, 43.12 FEET TO A CONCRETE MONUMENT; THENCE N 26 55' 10" W, 266.50 FEET TO AN IRON PIPE; THENCE N 87 06' 55" E 134.61 FEET TO AN IRON PIPE; THENCE N 18 20' 15" E, 103.67 FEET TO AN IRON PIPE, CORNER OF LOT 41, HYLAND HILLS, PHASE ONE, PAGE TWO AS RECORDED IN PLAT CABINET 1, SLIDE 157; THENCE AS SAID LOT N 52 35' 34" E, 120.02 FEET TO AN IRON PIPE, CORNER OF LOT 41 ON WESTERN RIGHT-OF-WAY OF S.R. 1857; THENCE AS SAID RIGHT-OF-WAY S 39 06' 11" E, 119.44 FEET; THENCE S 27 51' 33" E, 186.71 FEET TO THE POINT OF BEGINNING CONTAINING 2.60 ACRES MORE OR LESS.

**The above described parcels does not include the principal residence of the Grantor.**

**THE LAW FIRM OF THIGPEN AND JENKINS, LLP, HAS NEITHER EXAMINED NOR CERTIFIES TITLE TO THE ABOVE DESCRIBED PROPERTY.**

Submitted electronically by "Thigpen and Jenkins, LLP"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Moore County Register of Deeds.

TO HAVE AND TO HOLD THE AFORESAID LOT OR PARCEL OF LAND AND ALL PRIVILEGES AND APPURTENANCES THERETO BELONGING TO THE GRANTEE IN FEE SIMPLE.

And the Grantors covenants with the Grantee, that Grantors are seized of said premises in fee simple and has the right to convey in fee simple; that the title is marketable and free and clear of all encumbrances and that the Grantors will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

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

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

AKR PROPERTIES, LLC

Preston Reeves (SEAL)  
as Member/Manager

STATE OF NC  
COUNTY OF Moore

I certify that the following person personally appeared before me this day, acknowledging to me that they signed the foregoing document: Principal(s):  
Preston Reeves as Member/Manager of AKR PROPERTIES, LLC.

Date: 1-20-2023

My Commission expires: 10-1-26

Lauri W. Carter  
Notary Public

LAURI W. CARTER  
NOTARY PUBLIC  
Moore County, North Carolina  
My Commission Expires: 10/03/2026

## **UDO §2.17.9. Criteria for Zoning Map Amendments**

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

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

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

## **EXHIBIT C**

### **Reasons for Proposed Amendment**

Applicant submits this Zoning Map Amendment to rezone Parcel ID 00038516 (PIN 859320707475). The property is currently zoned for commercial use and is vacant. Applicant is requesting that the property be rezoned for residential use so that Applicant can construct one single-family home to be used as he and his family's primary residence. This use is consistent with the criteria set forth in UDO §2.17.9.

## **EXHIBIT C**

### **Reasons for Proposed Amendment**

Applicant submits this Zoning Map Amendment to rezone Parcel ID 00038516 (PIN 859320707475). The subject parcel is currently zoned FRR for commercial use and is vacant. Applicant is requesting that this parcel be rezoned as RS-2 for residential use so that Applicant can construct one single-family home to be used as his family's primary residence. This use is consistent with the criteria set forth in UDO §2.17.9.

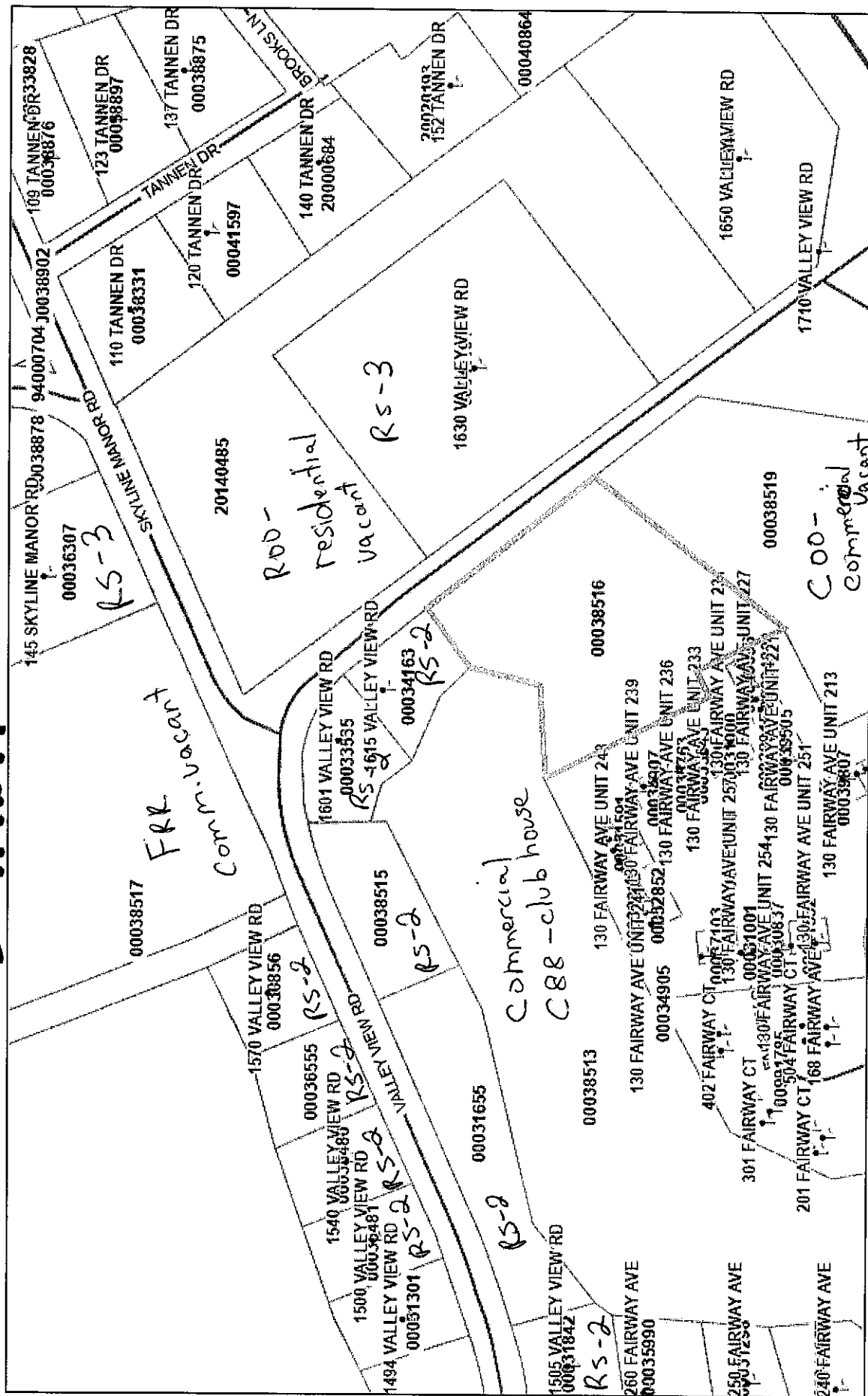
First, a zoning map amendment to RS-2 is consistent with the surrounding area and will not have an adverse impact on neighboring lands. This parcel is adjacent to the Hyland Golf Club and is located on Valley View Road. (See attached Exhibit "1") The golf course is the only property in this surrounding area that is zoned for commercial use. In addition, behind the subject parcel is Highland Hills HOA, which is zoned as RM-1. However, the subject parcel is surrounded by property zoned for residential use (RS-2 and RS-3) on both the same and opposite sides of Valley View Road. In addition, since the Applicant is not requesting zoning for higher density, an RS-2 classification is not only consistent with the surrounding area but also would not lead to adverse consequences such as traffic congestion or air pollution.

Second, the size of the parcel (2.6 acres) is more appropriate for RS-2 use and would be consistent with the changed characteristics of the neighboring lands. The neighborhood has recently spurred new residential growth of one family homes along Valley View Road, as shown by a search of real estate listings on the website Realtor.com. (See attached Exhibit "2") The approximate sizes of these lots is  $\frac{1}{4}$  of an acre, more or less. Given the location and relative size

of the subject parcel, a recreational facility on this lot would be out of place. The area does not need any further facilities to accommodate the golf course. Moreover, since the property is currently undeveloped and vacant, a reclassification of the zoning would actually be an improvement to the neighborhood.

Based upon the foregoing reasons, Applicant requests a Zoning Map Amendment to rezone Parcel ID 00038516 (PIN 859320707475) from FRR to RS-2.

# Exhibit 1



RM-1  
Highland Hills HoA

1 inch = 200 feet  
April 10, 2023

Name: AKR PROPERTIES LLC

Parcel ID: 00038516

Deeded Acres: 2.6



Realtor.com® Real Estate ...  
★★★★☆ 314,000+

EXHIBIT 2

af\_sub4=Misce)



realtor.com



[United States \(/propertyrecord-search\)](#) > [North Carolina \(/propertyrecord-search/North-Carolina\)](#) >  
[Moore County \(/propertyrecord-search/Moore-County\\_NC\)](#) > [Southern Pines \(/propertyrecord-search/Southern-Pines\\_NC\)](#) > Valley View Rd

## Valley View Rd, Southern Pines NC Property Records

Find homes for sale in Valley View Rd, Southern Pines NC, or type an address below:

Valley View Rd, Southern Pines, NC



### Property Records & Home Values in Valley View Rd, Southern Pines NC

[1329 Valley View Rd, Southern Pines, 28387, NC \(https://www.realtor.com/realestateandhomes-detail/1329-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M92718-69067\)](https://www.realtor.com/realestateandhomes-detail/1329-Valley-View-Rd_Southern-Pines_NC_28387_M92718-69067)

For Sale

\$486,000

[1301 Valley View Rd, Southern Pines, 28387, NC \(https://www.realtor.com/realestateandhomes-detail/1301-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M90017-94746\)](https://www.realtor.com/realestateandhomes-detail/1301-Valley-View-Rd_Southern-Pines_NC_28387_M90017-94746)

For Sale

\$467,220

[1311 Valley View Rd, Southern Pines, 28387, NC \(https://www.realtor.com/realestateandhomes-detail/1311-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M96001-50229\)](https://www.realtor.com/realestateandhomes-detail/1311-Valley-View-Rd_Southern-Pines_NC_28387_M96001-50229)

For Sale

\$484,000

[1307 Valley View Rd, Southern Pines, 28387, NC \(https://www.realtor.com/realestateandhomes-detail/1307-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M95785-16353\)](https://www.realtor.com/realestateandhomes-detail/1307-Valley-View-Rd_Southern-Pines_NC_28387_M95785-16353)

For Sale

\$650,000

[1329 Valley View Rd, Southern Pines, 28387, NC \(https://www.realtor.com/realestateandhomes-detail/1329-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M92718-69067\)](https://www.realtor.com/realestateandhomes-detail/1329-Valley-View-Rd_Southern-Pines_NC_28387_M92718-69067)

For Sale

\$486,000

[1311 Valley View Rd, Southern Pines, 28387, NC \(https://www.realtor.com/realestateandhomes-detail/1311-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M96001-50229\)](https://www.realtor.com/realestateandhomes-detail/1311-Valley-View-Rd_Southern-Pines_NC_28387_M96001-50229)

For Sale

\$484,000

1307 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/1307-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M95785-16353](https://www.realtor.com/realestateandhomes-detail/1307-Valley-View-Rd_Southern-Pines_NC_28387_M95785-16353))

For Sale

\$650,000

1301 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/1301-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M90017-94746](https://www.realtor.com/realestateandhomes-detail/1301-Valley-View-Rd_Southern-Pines_NC_28387_M90017-94746))

For Sale

\$467,220

1570 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/1570-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M66128-04115](https://www.realtor.com/realestateandhomes-detail/1570-Valley-View-Rd_Southern-Pines_NC_28387_M66128-04115))

Recently Sold

\$463,000

600 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/600-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M93776-76721](https://www.realtor.com/realestateandhomes-detail/600-Valley-View-Rd_Southern-Pines_NC_28387_M93776-76721))

Off Market

\$340,000 est.

1630 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/1630-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M63801-01661](https://www.realtor.com/realestateandhomes-detail/1630-Valley-View-Rd_Southern-Pines_NC_28387_M63801-01661))

Off Market

\$326,800 est.

1345 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/1345-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M60839-86482](https://www.realtor.com/realestateandhomes-detail/1345-Valley-View-Rd_Southern-Pines_NC_28387_M60839-86482))

Off Market

\$378,000 est.

675 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/675-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M59069-71360](https://www.realtor.com/realestateandhomes-detail/675-Valley-View-Rd_Southern-Pines_NC_28387_M59069-71360))

Off Market

\$1,052,200 est.

1025 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/1025-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M53299-48501](https://www.realtor.com/realestateandhomes-detail/1025-Valley-View-Rd_Southern-Pines_NC_28387_M53299-48501))

Off Market

\$261,100 est.

1045 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/1045-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M99877-47662](https://www.realtor.com/realestateandhomes-detail/1045-Valley-View-Rd_Southern-Pines_NC_28387_M99877-47662))

Off Market

\$138,000 est.

1376 Valley View Rd, Southern Pines, 28387, NC (https://www.realtor.com/realestateandhomes-detail/1376-Valley-View-Rd\_Southern-Pines\_NC\_28387\_M60842-47343)

Off Market

\$544,300 est.

1340 Valley View Rd, Southern Pines, 28387, NC (https://www.realtor.com/realestateandhomes-detail/1340-Valley-View-Rd\_Southern-Pines\_NC\_28387\_M64971-47596)

Off Market

\$313,900 est.

625 Valley View Rd, Southern Pines, 28387, NC (https://www.realtor.com/realestateandhomes-detail/625-Valley-View-Rd\_Southern-Pines\_NC\_28387\_M97813-44126)

Off Market

-

1015 Valley View Rd, Southern Pines, 28387, NC (https://www.realtor.com/realestateandhomes-detail/1015-Valley-View-Rd\_Southern-Pines\_NC\_28387\_M59169-23262)

Off Market

\$268,300 est.

1540 Valley View Rd, Southern Pines, 28387, NC (https://www.realtor.com/realestateandhomes-detail/1540-Valley-View-Rd\_Southern-Pines\_NC\_28387\_M60944-61208)

Off Market

\$489,100 est.

1025 Valley View Rd, Southern Pines, 28387, NC (https://www.realtor.com/realestateandhomes-detail/1025-Valley-View-Rd\_Southern-Pines\_NC\_28387\_M66282-49182)

Off Market

\$261,100 est.

1325 Valley View Rd, Southern Pines, 28387, NC (https://www.realtor.com/realestateandhomes-detail/1325-Valley-View-Rd\_Southern-Pines\_NC\_28387\_M62537-01607)

Off Market

\$455,200 est.

1370 Valley View Rd, Southern Pines, 28387, NC (https://www.realtor.com/realestateandhomes-detail/1370-Valley-View-Rd\_Southern-Pines\_NC\_28387\_M67033-77322)

Off Market

\$323,500 est.

1335 Valley View Rd, Southern Pines, 28387, NC (https://www.realtor.com/realestateandhomes-detail/1335-Valley-View-Rd\_Southern-Pines\_NC\_28387\_M60027-92463)

Off Market

\$307,000 est.

1500 Valley View Rd, Southern Pines, 28387, NC (https://www.realtor.com/realestateandhomes-detail/1500-Valley-View-Rd\_Southern-Pines\_NC\_28387\_M64907-44243)

Off Market

\$457,400 est.

1505 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/1505-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M68694-40751](https://www.realtor.com/realestateandhomes-detail/1505-Valley-View-Rd_Southern-Pines_NC_28387_M68694-40751))

Off Market

\$331,100 est.

1275 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/1275-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M54944-70514](https://www.realtor.com/realestateandhomes-detail/1275-Valley-View-Rd_Southern-Pines_NC_28387_M54944-70514))

Off Market

\$367,300 est.

1035 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/1035-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M60824-95844](https://www.realtor.com/realestateandhomes-detail/1035-Valley-View-Rd_Southern-Pines_NC_28387_M60824-95844))

Off Market

\$321,200 est.

1360 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/1360-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M65161-96882](https://www.realtor.com/realestateandhomes-detail/1360-Valley-View-Rd_Southern-Pines_NC_28387_M65161-96882))

Off Market

\$385,300 est.

1490 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/1490-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M94935-28397](https://www.realtor.com/realestateandhomes-detail/1490-Valley-View-Rd_Southern-Pines_NC_28387_M94935-28397))

Off Market

\$520,200 est.

1308 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/1308-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M63176-52931](https://www.realtor.com/realestateandhomes-detail/1308-Valley-View-Rd_Southern-Pines_NC_28387_M63176-52931))

Off Market

\$466,600 est.

1480 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/1480-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M64905-95180](https://www.realtor.com/realestateandhomes-detail/1480-Valley-View-Rd_Southern-Pines_NC_28387_M64905-95180))

Off Market

\$463,300 est.

1300 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/1300-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M59184-88431](https://www.realtor.com/realestateandhomes-detail/1300-Valley-View-Rd_Southern-Pines_NC_28387_M59184-88431))

Off Market

\$297,200 est.

1615 Valley View Rd, Southern Pines, 28387, NC ([https://www.realtor.com/realestateandhomes-detail/1615-Valley-View-Rd\\_Southern-Pines\\_NC\\_28387\\_M60843-21875](https://www.realtor.com/realestateandhomes-detail/1615-Valley-View-Rd_Southern-Pines_NC_28387_M60843-21875))

Off Market

\$226,100 est.

[1380 Valley View Rd, Southern Pines, 28387, NC \(https://www.realtor.com/realestateandhomes-detail/1380-Valley-View-](https://www.realtor.com/realestateandhomes-detail/1380-Valley-View-Rd_Southern-Pines_NC_28387_M64905-57914)

[Rd\\_Southern-Pines\\_NC\\_28387\\_M64905-57914\)](https://www.realtor.com/realestateandhomes-detail/1380-Valley-View-Rd_Southern-Pines_NC_28387_M64905-57914)

Off Market

\$436,700 est.

[655 Valley View Rd, Southern Pines, 28387, NC \(https://www.realtor.com/realestateandhomes-detail/655-Valley-View-](https://www.realtor.com/realestateandhomes-detail/655-Valley-View-Rd_Southern-Pines_NC_28387_M95187-40947)

[Rd\\_Southern-Pines\\_NC\\_28387\\_M95187-40947\)](https://www.realtor.com/realestateandhomes-detail/655-Valley-View-Rd_Southern-Pines_NC_28387_M95187-40947)

Off Market

\$685,000 est.

[1601 Valley View Rd, Southern Pines, 28387, NC \(https://www.realtor.com/realestateandhomes-detail/1601-Valley-View-](https://www.realtor.com/realestateandhomes-detail/1601-Valley-View-Rd_Southern-Pines_NC_28387_M61032-52974)

[Rd\\_Southern-Pines\\_NC\\_28387\\_M61032-52974\)](https://www.realtor.com/realestateandhomes-detail/1601-Valley-View-Rd_Southern-Pines_NC_28387_M61032-52974)

Off Market

\$416,300 est.

[500 Valley View Rd, Southern Pines, 28387, NC \(https://www.realtor.com/realestateandhomes-detail/500-Valley-View-](https://www.realtor.com/realestateandhomes-detail/500-Valley-View-Rd_Southern-Pines_NC_28387_M67028-18333)

[Rd\\_Southern-Pines\\_NC\\_28387\\_M67028-18333\)](https://www.realtor.com/realestateandhomes-detail/500-Valley-View-Rd_Southern-Pines_NC_28387_M67028-18333)

Off Market

\$453,500 est.

[1494 Valley View Rd, Southern Pines, 28387, NC \(https://www.realtor.com/realestateandhomes-detail/1494-Valley-View-](https://www.realtor.com/realestateandhomes-detail/1494-Valley-View-Rd_Southern-Pines_NC_28387_M64864-52270)

[Rd\\_Southern-Pines\\_NC\\_28387\\_M64864-52270\)](https://www.realtor.com/realestateandhomes-detail/1494-Valley-View-Rd_Southern-Pines_NC_28387_M64864-52270)

Off Market

\$578,668 est.

#### Popular Amenities in Southern Pines, NC

[Price Reduced \(/realestateandhomes-search/Southern-Pines\\_NC/show-price-reduced\)](/realestateandhomes-search/Southern-Pines_NC/show-price-reduced)

[New Construction \(/realestateandhomes-search/Southern-Pines\\_NC/shw-nc\)](/realestateandhomes-search/Southern-Pines_NC/shw-nc)

[Virtual Tours \(/realestateandhomes-search/Southern-Pines\\_NC/show-virtual-tours\)](/realestateandhomes-search/Southern-Pines_NC/show-virtual-tours)

[Retirement Communities \(/realestateandhomes-search/Southern-Pines\\_NC/show-55-plus\)](/realestateandhomes-search/Southern-Pines_NC/show-55-plus)

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#### Property Searches in Southern Pines, NC

[Single Family Homes Southern Pines \(/realestateandhomes-search/Southern-Pines\\_NC/type-single-family-home\)](/realestateandhomes-search/Southern-Pines_NC/type-single-family-home)

[Condos Southern Pines \(/realestateandhomes-search/Southern-Pines\\_NC/type-condo\)](/realestateandhomes-search/Southern-Pines_NC/type-condo)

[Townhomes Southern Pines \(/realestateandhomes-search/Southern-Pines\\_NC/type-townhome\)](/realestateandhomes-search/Southern-Pines_NC/type-townhome)

[Lands Southern Pines \(/realestateandhomes-search/Southern-Pines\\_NC/type-land\)](/realestateandhomes-search/Southern-Pines_NC/type-land)

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[Central Air \(/apartments/Southern-Pines\\_NC/with\\_centralair\)](/apartments/Southern-Pines_NC/with_centralair)

[Basement \(/apartments/Southern-Pines\\_NC/with\\_basement\)](/apartments/Southern-Pines_NC/with_basement)

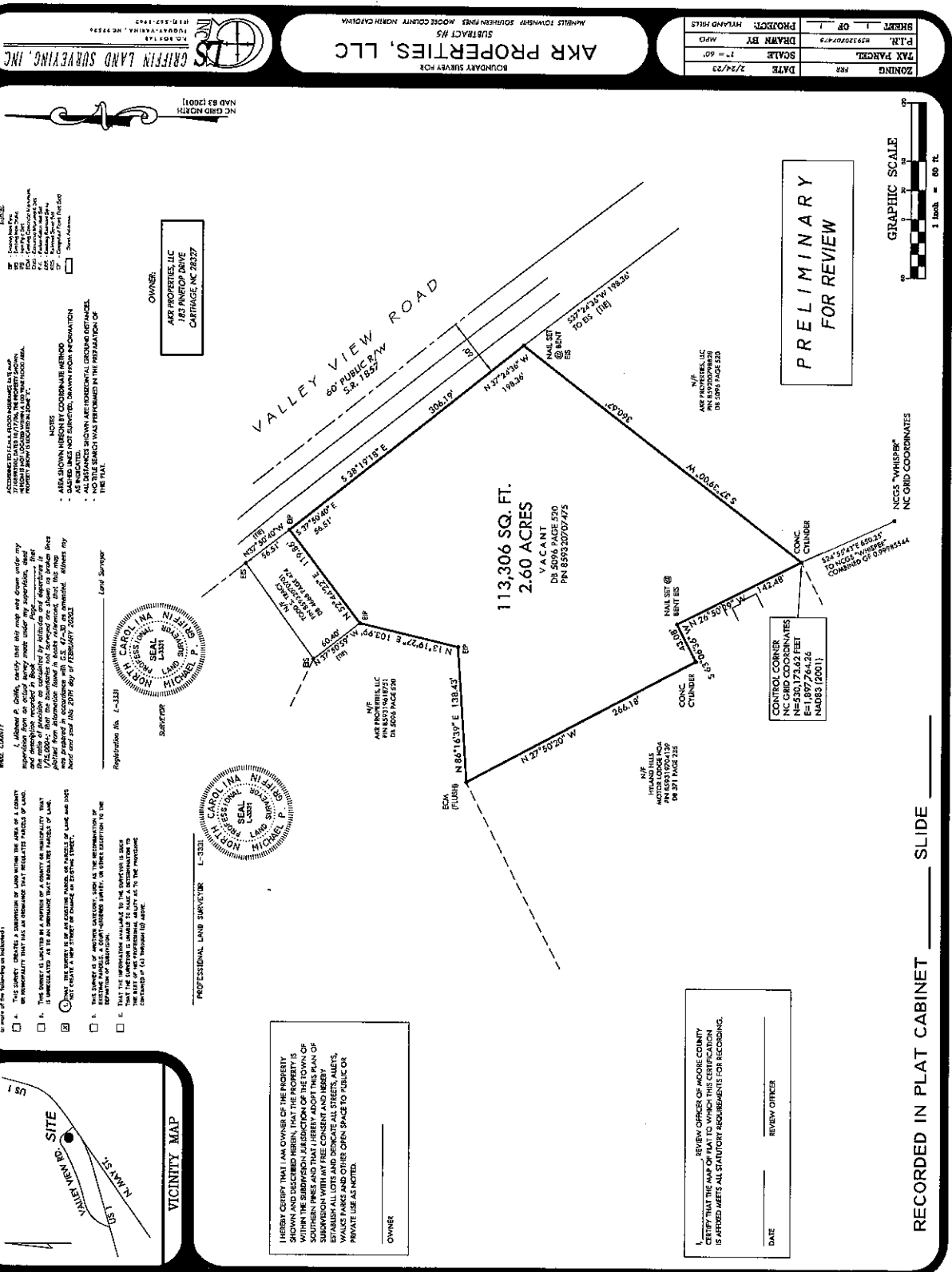
[Swimming Pool \(/apartments/Southern-Pines\\_NC/with\\_swimmingpool\)](/apartments/Southern-Pines_NC/with_swimmingpool)

[Pet Friendly \(/apartments/Southern-Pines\\_NC/with\\_petsallowed\)](/apartments/Southern-Pines_NC/with_petsallowed)

**SEE MORE** ▼

#### Rental Searches in Southern Pines, NC

[Single Family Homes Southern Pines \(/apartments/Southern-Pines\\_NC/type-single-family-home\)](/apartments/Southern-Pines_NC/type-single-family-home)



### **EXHIBIT E: WRITTEN METES AND BOUNDS DESCRIPTION**

BEGINNING AT AN IRON PIPE ON THE WESTERN RIGHT-OF-WAY OF S.R. 1857, LOCATED N 03 31'07" W, 876.94 FEET FROM N.C.G.S. MONUMENT "WHISPER"; THENCE S 37 38'04" W, 360.57 FEET TO A CONCRETE MONUMENT, CORNER OF MOTOR LODGE PROPERTY AS RECORDED IN MAP BOOK 10, PAGE 53; THENCE AS SAID MOTOR LODGE N 26 51' 53" W, 142.30 FEET TO A CONCRETE MONUMENT; THENCE S 63 08' 27" W, 43.12 FEET TO A CONCRETE MONUMENT; THENCE N 26 55' 10" W, 266.50 FEET TO AN IRON PIPE; THENCE N 87 06' 55" E 134.61 FEET TO AN IRON PIPE; THENCE N 18 20' 15" E, 103.67 FEET TO AN IRON PIPE, CORNER OF LOT 41, HYLAND HILLS, PHASE ONE, PAGE TWO AS RECORDED IN PLAT CABINET 1, SLIDE 157; THENCE AS SAID LOT N 52 35' 34" E, 120.02 FEET TO AN IRON PIPE, CORNER OF LOT 41 ON WESTERN RIGHT-OF-WAY OF S.R. 1857; THENCE AS SAID RIGHT-OF-WAY S 39 06' 11"E, 119.44 FEET; THENCE S 27 51' 33" E, 186.71 FEET TO THE POINT OF BEGINNING CONTAINING 2.60 ACRES MORE OR LESS.

**From:** [Cindy Williams](#)  
**To:** [Archie Daniel](#); [Cindi King](#); [Cory Albers](#); [David Byrd](#); [Director](#); [James Michel](#); [Ken Skipper](#); [NCDOT](#); [ncsandhillsrcw@fws.gov](#); [Ron Istre](#); [Ron Maness](#)  
**Cc:** [Alaina Mallette](#); [Cindy Williams](#)  
**Subject:** Z-02-23 Rezoning Request  
**Date:** Monday, May 1, 2023 10:39:30 AM  
**Attachments:** [Z-02-23 Hyland Hills PB PHN - agency comments.pdf](#)

---

Good morning,

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

Sincerely,

*Cindy Williams*

Planning Department  
Town of Southern Pines  
801 SE Service Road  
Southern Pines, NC 28387  
(910) 692-4003

**NOTICE OF PUBLIC HEARING BEFORE THE TOWN OF SOUTHERN PINES  
PLANNING BOARD  
TO CONSIDER A PROPOSED AMENDMENT TO THE  
TOWN OF SOUTHERN PINES ZONING MAP**

A regular meeting of the Town of Southern Pines Planning Board will be held on Thursday, May 18, 2023, at 6:00 PM at the E.S. Douglass Community Center, 1185 W. Pennsylvania Avenue, Southern Pines, North Carolina. Notice is hereby given that a public hearing on the following Zoning Map Amendment will be held during the meeting:

**Z-02-23: Request to apply rezoning to 2.6 acres located on the west side of Valley View Road between Hyland Hills Road and Skyline Manor Road from Facilities, Resources, and Recreation (FRR) to Residential Single-Family (RS-2)**

Mr. Frank Thigpen, on behalf of Mr. Preston Reeves and Ms. Julie Reeves, has submitted a request to rezone a 2.6-acre parcel from Facilities, Resources, and Recreation (FRR) to Residential Single-Family (RS-2), which has a minimum lot size of 20,000 square feet. The principal uses authorized in the RS-2 zoning district include low-density single-family residential, some utility and utility services, public and private golf courses, some educational and public safety services, and limited agricultural activities. The subject parcel is identified as PIN 859320707475 (PARID 00038516). The property owners are listed as Preston Reeves and Julie Reeves in Moore County Deed Book 5987 Page 97, as of January 20, 2023.

All interested citizens are invited to attend the hearing and be heard. The complete application may be reviewed at the Planning office, 801 SE Service Road, Southern Pines, North Carolina, or online at [www.southernpines.net](http://www.southernpines.net). Substantial changes in the proposed amendment may be made following the public hearing.

## Page 37 of 71

**From:** [James, Janet R](#)  
**To:** [Cindy Williams](#)  
**Subject:** RE: [External] Z-02-23 Rezoning Request  
**Date:** Friday, May 5, 2023 8:09:57 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Good morning, Ms. Williams.

We have no comments to offer on this planned rezoning.

Thanks.

**Janet James**

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

(910) 944-7621 Office  
(910) 944-5623 Fax  
[jrjames2@ncdot.gov](mailto:jrjames2@ncdot.gov)

902 N. Sandhills Boulevard  
Aberdeen, NC 28315



*Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.*

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**From:** JuarezPozos, Dagoberto <djuarezpozos@ncdot.gov>  
**Sent:** Monday, May 1, 2023 10:59 AM  
**To:** Cindy Williams <CWilliams@southernpines.net>; James, Janet R <jrjames2@ncdot.gov>  
**Cc:** Garner, James T <ext-jtgarner@ncdot.gov>  
**Subject:** FW: [External] Z-02-23 Rezoning Request

Cindy,

Since I'm no longer with the Aberdeen District Office I am forwarding this email to Janet James with the District for comments.

Dago

**Dagoberto Pozos, P.E.**

Assistant Resident Engineer  
Moore County Resident Engineer's Office

910-944-2344 Office  
[djuarezpozos@ncdot.gov](mailto:djuarezpozos@ncdot.gov)

902 North Sandhills Blvd.  
Aberdeen, NC 28315



*Email correspondence to and from this address is subject to the  
North Carolina Public Records Law and may be disclosed to third parties.*

---

**From:** Cindy Williams <[CWilliams@southernpines.net](mailto:CWilliams@southernpines.net)>

**Sent:** Monday, May 1, 2023 10:39 AM

**To:** Archie Daniel <[adaniel@southernpines.net](mailto:adaniel@southernpines.net)>; Cindi King <[CKing@southernpines.net](mailto:CKing@southernpines.net)>; Cory Albers <[calbers@southernpines.net](mailto:calbers@southernpines.net)>; David Byrd <[DByrd@southernpines.net](mailto:DByrd@southernpines.net)>; Director <[director@rluac.com](mailto:director@rluac.com)>; Michel, James <[JMichel@southernpines.net](mailto:JMichel@southernpines.net)>; Ken Skipper <[KSkipper@southernpines.net](mailto:KSkipper@southernpines.net)>; JuarezPozos, Dagoberto <[djuarezpozos@ncdot.gov](mailto:djuarezpozos@ncdot.gov)>; [ncsandhillsrcw@fws.gov](mailto:ncsandhillsrcw@fws.gov); ISTRE, RONALD <[ristre@southernpines.net](mailto:ristre@southernpines.net)>; Ron Maness <[rmaness@moorecountyaairport.com](mailto:rmaness@moorecountyaairport.com)>

**Cc:** Alaina Mallette <[amallette@southernpines.net](mailto:amallette@southernpines.net)>; Cindy Williams <[CWilliams@southernpines.net](mailto:CWilliams@southernpines.net)>

**Subject:** [External] Z-02-23 Rezoning Request

**CAUTION:** External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Good morning,

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

Sincerely,

*Cindy Williams*

Planning Department  
Town of Southern Pines  
801 SE Service Road

Southern Pines, NC 28387  
(910) 692-4003

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## **SOUTHERN PINES COURTESY REVIEW**

**Case:** Z-02-23 (FRR to RS-2)

**Location:** West side of Valey View Drive north of US Highway 1

**PIN#:** 859320707475

May 8, 2023

Following a review of the above referenced application by the RLUAC staff and Board of Directors, it has been determined that:

- The parcel is classified as Critical to Protect in the Fort Bragg Compatible Use Rating System due to the presence of active red cockaded woodpecker foraging areas on the site.

Active red-cockaded woodpecker (RCW) foraging areas are critical to protect because the loss of their habitat in the region, regardless of specific location, has the potential to impact Fort Bragg's military mission. If the cumulative loss of habitat outside of the installation causes a significant impact to the viability of the species in the region, the use of critical training land on Fort Bragg may be restricted to ensure that the installation fulfills its environmental protection obligations. This would occur as the result of an increased requirement to preserve habitat for this federally designated endangered species, which, in the past, has severely limited certain types of training activity on Fort Bragg. Constrained training capabilities, in turn, can have a significant impact on military readiness and the sustainment of Fort Bragg's mission.

With the presence of nearby red-cockaded woodpecker clusters, RLUAC encourages the applicant to have this property surveyed by personnel experienced in management and monitoring of the species prior to the removal of any mature pine trees. The protocol can be obtained at: [https://www.fws.gov/ncsandhills/pine\\_tree\\_removal.html](https://www.fws.gov/ncsandhills/pine_tree_removal.html) The results of this survey can be sent to the US Fish and Wildlife Service office located in Raleigh, NC, ATTN: John Hammond, for review. The applicant is also encouraged to preserve as many mature pines and as much contiguous undisturbed forested land on the site as possible within the defined foraging area.

RLUAC also encourages the Town of Southern Pines and the applicant / owner to ensure that the site maintains as much forested open space as possible to preserve RCW habitat. 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 presence of environmental concerns related to RCW foraging areas, the nature of the zoning proposed for the site does not present any additional compatibility concerns with regard to military training or operations.

Thank you for allowing RLUAC to review this case.

Jeff Sanborn, Chairman

Vagn K. Hansen II, AICP, Executive Director

## Agenda Item

**To:** Planning Board

**Via:** BJ Grieve, Planning Director

**From:** Alaina Mallette, Senior Planner

**Subject:** Z-03-23: Request to apply rezoning to 1 acre located on the north side of Eastman Road by the Eastman Water Tower from Residential Single-Family (RS-1) to Facilities, Resources, and Recreation (FRR); Applicant: Town of Southern Pines

**Date:** May 18, 2023

---

### I. SUMMARY OF APPLICATION REQUEST

The Town of Southern Pines is proposing to rezone a 1-acre parcel from Residential Single-Family (RS-1) to Facilities, Resources, and Recreation (FRR). The principal uses authorized in the FRR zoning district include publicly owned open space and facilities as well as privately owned and man-made resource and recreation areas. The subject parcel is located in the New York Extension neighborhood on the north side of Eastman Road.

### II. PROJECT INFORMATION

#### A. Physical Address

No address has been created for the subject property. Parcel ID: 00040888 (PIN 857211657012)

#### B. Property Owner/Applicant

Town of Southern Pines  
801 Southeast Service Road  
Southern Pines, NC 28387

#### C. Existing Zoning

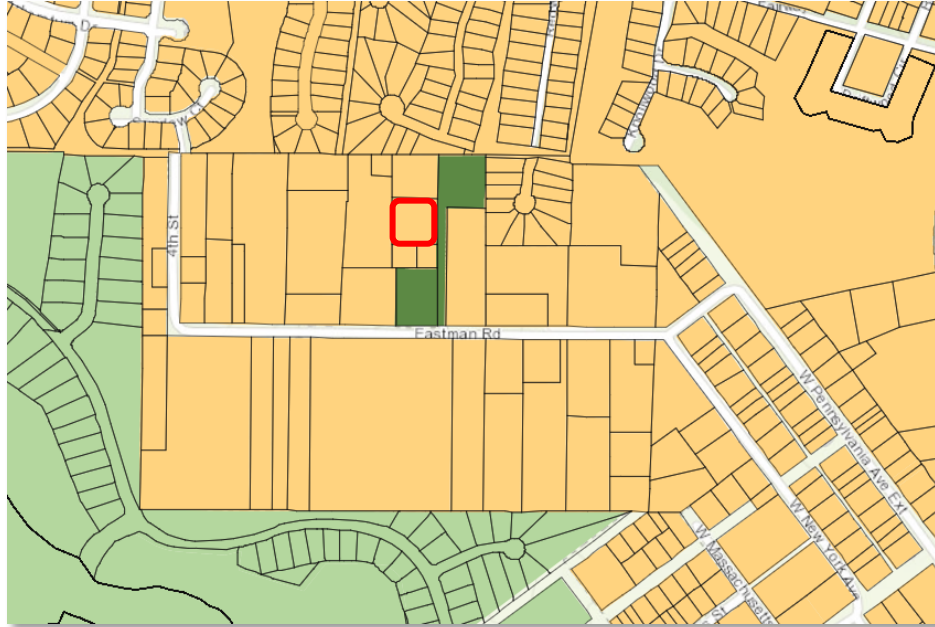
The subject property is currently zoned RS-1. The primary principal uses in the RS-1 zoning district include medium density single-family residential land uses (approximately 4.3 Dwelling Units per acre). The subject property is within the Extra-Territorial Jurisdiction.

#### D. Comprehensive Long-Range Plan Designation for Future Land Uses

Within the Town of Southern Pines Comprehensive Long-Range Plan (CLRP) Future Land Use Map, the site is identified as “Residential,” shown in orange in Figure 1. This category is described as, “... providing for single-family and attached housing at development densities ranging from one unit per acre in areas that are less intensively developed to up to twelve units per acre in places that are clearly more urban.” Furthermore, elementary schools, civic uses, parks and neighborhood scale commercial services may be authorized through the rezoning process without amending the future

land use map. The subject property is adjacent to land categorized in the future land use map as Parks/Open Space, shown in dark green in Figure 1.

**Figure 1: Future Land Use Map for Subject Property** (approximate boundaries of proposed map amendment are outlined in red)



### III. STAFF REVIEW

#### 1. Application Review Dates

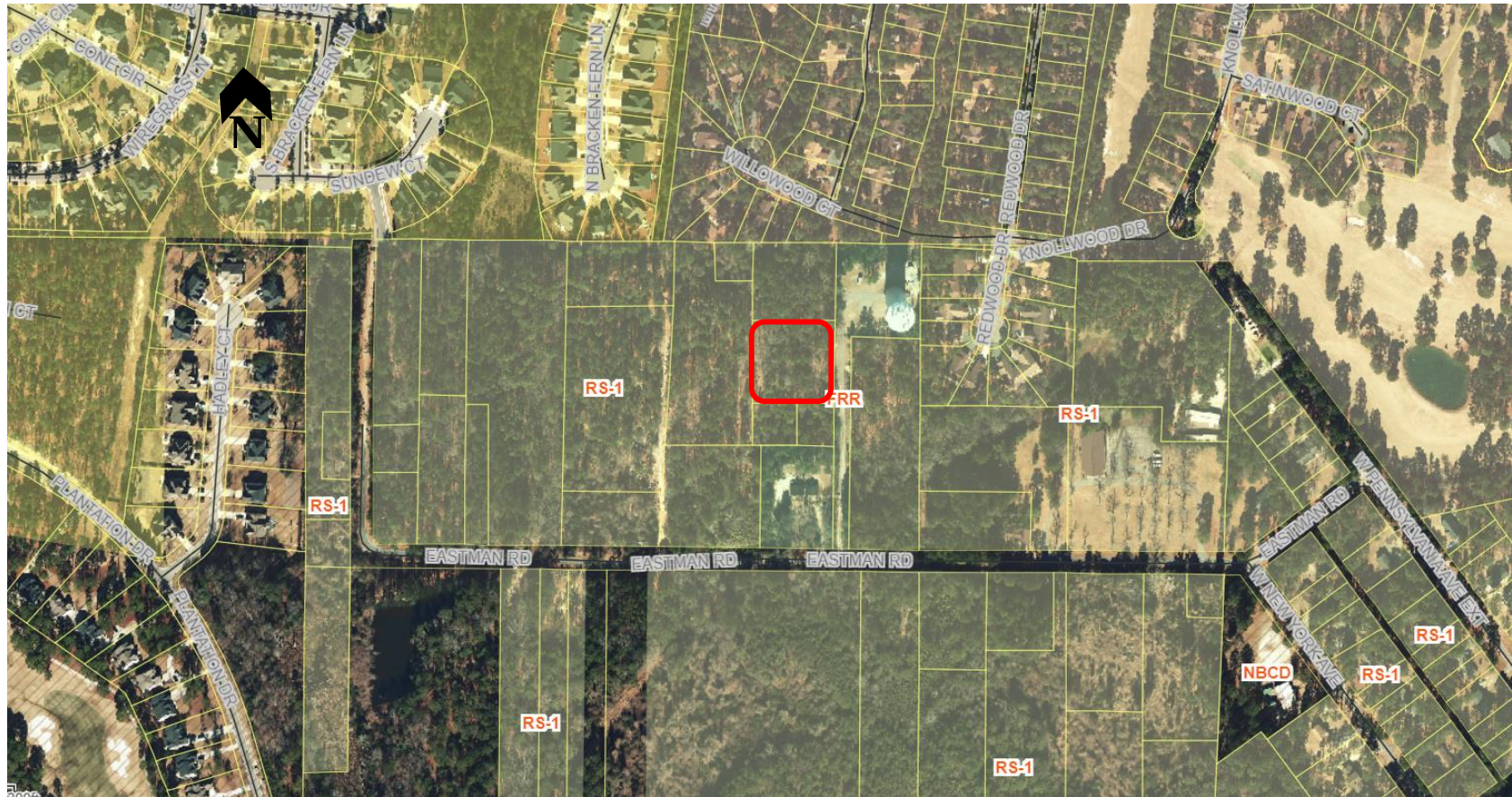
Application Submitted: **April 10, 2023**

Application Complete: **April 17, 2023**

Planning Board Public Hearing Notice: **May 1 (posted on Town website and emailed to agencies); May 2, 2023 (mailed to adjacent landowners); May 3 and 10, 2023 (emailed to The Pilot)**

Planning Board Regular Meeting: **May 18, 2023**

**Figure 2: Vicinity Zoning Map with 2021 Aerial Basemap** (approximate boundaries of proposed map amendment are outlined in red).



**Figure 3: Subject Property as of February 3, 2022, with Approximate Boundaries of Proposed Map Amendment (in Red).**



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

When reviewing an application for zoning, the hearing bodies (Planning Board and Town Council) shall consider and be guided by the following criteria, as set forth in UDO §2.17.9 and outlined below.

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

Consistency with the CLRP has been reviewed by looking at the document itself as well as the potential new allowed uses in the proposed FRR zoning district. The principal uses authorized in the FRR zoning district include open space, public facilities and privately owned and recreation areas. A comprehensive list of land uses that are allowed in FRR can be found in bullet point “(H) Applicant Representations” below.

The Future Land Use Map designates the parcel as “Residential,” which is inconsistent with the rezoning request. If approved, the Future Land Use Map would need to be amended.

**(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.*

Neighboring lands adjacent to the subject parcel are zoned FRR and RS-1. In addition to these and within a quarter-mile from the subject property, there are three additional zones: Residential Single-Family (RS-2; 20,000 maximum lot size) Conditional Zoning District (i.e., Mid-South Subdivision), Residential Multi-Family (RM-2; 5-7 DU/ac), and Neighborhood Business Conditional District (i.e., Rufus McLaughlin American Legion Post 177). Considering this mix of uses and the intended character of each district, the proposed FRR zoning would be substantially consistent with the surrounding area.

**(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.*

- RS-1 is a residential zone, according to UDO §3.3.1 Conventional Districts, which would be a suitable zone for a private landowner. However, the property is currently owned by the Town of Southern Pines, a public entity. Therefore, FRR is a more suitable zone for public land uses.
- The applicant states, “The health, safety, and welfare of the public are benefitted by the continued maintenance of the Town’s infrastructure

including utilities, streets, parks, and facilities.” Many types of public facilities are authorized in FRR, and not in RS-1. These public facilities intend to help the Town of Southern Pines meet public needs.

- The site is centrally-located within the Town of Southern Pines and is near existing Town facilities. Therefore, the Town’s use of said site may increase efficiencies for doing town business, generally.

**(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.*

- No health, safety, or welfare concern has been identified based on the information that was provided in the application. Staff has not identified any concerns based on a site visit and routine analysis of the subject parcel and surrounding area. However, it should be noted for the record that no detailed site assessment has been conducted nor is one required in order to request a rezoning.
- There are no historic or archeological sites on the subject property to the applicant’s and Planning staff’s knowledge.

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

- See comments under “(A) Consistency” and “(C) Suitability as Presently Zoned.”

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

- The rezoning is for a single lot, the ownership of which is inconsistent with the current zoning district as it is a publicly-owned asset.
- Furthermore, the applicants assert that “There are no issues with the size of the tract.”

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

- The proposed zoning district’s (i.e., FRR) current development standards for the subject property state that building heights and setbacks must conform to those of the abutting district, and that required buffers shall be

based on the use established in the FRR district and the abutting use or district, whichever requires the greater buffer.

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

- The FRR zoning district is intended for open space, public facilities and privately owned and recreation areas. Publicly owned land uses include governmental, recreational, education, natural resource and utility facilities. Privately owned land uses include golf resorts and related facilities, land trusts established to preserve natural resources, schools and recreational facilities that typically include substantial open space. The district objectives are to (1) Provide land for publicly-owned governmental facilities and privately-owned natural and man-made resource and recreation areas, and (2) Preclude major residential, retail office, institutional, and industrial uses that typically provide limited open space.
- The boards should consider the full range of possible uses in the proposed FRR zone. The authorized uses (either permitted by-right, allowed with supplemental standards, or as conditional uses) are listed below.
  - **FRR authorizes, but RS-1 does not authorize:** markets for farm produce or crafts; air transportation uses; courier and messenger services; towers and antennas taller than 50'; electric substations; drinking water; solid waste collection; waste treatment and disposal; wastewater treatment plants; historical or archeological institution; zoos, botanical gardens, arboreta; golf course resort; horse-riding stables; middle, junior, senior, high schools; college or university; free-standing cemetery; greenhouse production (no on-premise sales); other special events; while
  - **RS-1 authorizes, but FRR does not authorize:** single-family detached dwelling; class a single-family manufactured home; accessory dwelling; assisted-living board and care and adult care group homes; bed and breakfast home or inn, telephone and other wired tele-communications; natural gas service; water service; in-patient nursing, supervision and other rehabilitative services; domestic backyard chickens, beekeeping, home occupations, or cluster subdivision; and
  - **Both districts authorize:** Tele-communications towers and antennas ≤50' tall, utility service distribution lines, wastewater services, public or private golf course, public gyms, natural or other recreational parks, elementary school, public safety facilities,

outdoor crop production, special home events, temporary uses, subdivisions (major and minor), and combination uses.

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

- A request for comments was emailed to agencies on May 1, 2023. Agencies notified include Town of Southern Pines Streets, Public Works, Utilities, Fire, Recreation and Parks, and Engineering departments, the Regional Land Use Advisory Commission (RLUAC), United States Fish and Wildlife Services (US FWS), the Moore County Airport, and the North Carolina Department of Transportation (NCDOT).
- NCDOT (Ms. Janet James, Assistant District Engineer for Division of Highways Division 8 – District 2) stated that they had no comments to offer.

### **4. Staff Recommendation**

Planning staff recommend that the hearing bodies approve the rezoning request for Parcel ID 00040888 (PIN 857211657012) from RS-1 to FRR.

## **IV. ATTACHMENTS**

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

1. Draft Planning Board Resolution to Adopt a Written Recommendation for Zoning Map Amendment Application
2. Zoning Map Amendment Application
3. List of Adjacent Property Owners
4. Deed
5. Narrative for Proposed Amendment
6. Survey
7. Agency Comments (all)

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 inspections during normal business hours.

## **V. PLANNING BOARD ACTION**

The Planning Board shall consider the criteria for zoning map amendments found in UDO §2.17.9, including consistency with the Comprehensive Long-Range Plan. Per North Carolina General Statute 160D-604(d), prior to consideration of the proposed map amendment by the Town Council, the Planning Board shall advise and comment on whether the proposed amendments are consistent with the Comprehensive Long-Range Plan. The Planning Board shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning

Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendments by the Town Council.

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

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

1. The proposed amendments are consistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment 1 of staff report Z-03-23;
2. The proposed amendments are consistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment 1 of staff report Z-03-23 as revised by the Planning Board;
3. The proposed amendments are inconsistent with the Comprehensive Long-Range Plan for the reasons set forth in Attachment 1 of staff report Z-03-23 as revised by the Planning Board;

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

- 1.
- 2.
- 3.
- 4.

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

1. Recommend approval of Z-03-23 to the Town Council;
2. Recommend denial of Z-03-23 to the Town Council



**PLANNING BOARD  
RESOLUTION TO ADOPT A WRITTEN RECOMMENDATION  
FOR ZONING MAP AMENDMENT APPLICATION  
Z-03-23**

**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, application materials, documentation, and maps showing the proposed district boundaries—and has conducted a public hearing on May 18, 2023, to listen to public comments, ask questions of the Town’s planning staff, and consider zoning map amendment application Z-03-23.

**NOW, THEREFORE BE IT RESOLVED** that the Planning Board finds and recommends to the Town Council that the proposed amendment to the Town of Southern Pines Zoning Map is reasonable, in the public interest, and consistent with the current character of the New York Extension neighborhood and the criteria set forth in the Town of Southern Pines Unified Development Ordinance §2.17.9. The Planning Board recommends adopting the zoning map amendment request for Facilities, Resources, and Recreation zoning district on the north side of Eastman Road near the Eastman Water Tower in the extraterritorial zoning jurisdiction of the Town of Southern Pines. The rezoning is inconsistent with the Future Land Use Map. Therefore, pursuant to NCGS 160D-605(a), a plan amendment to the CLRP Future Land Use Map and a zoning amendment should be considered concurrently with no additional request or application for a plan amendment required by the applicant. The Planning Board recommends the governing board adopt the zoning amendment for Z-03-23.

**ADOPTED** this the 18<sup>th</sup> day of May, 2023.

---

Diane Westbrook, Chairwoman

**ATTEST:**

---

Cindy Williams  
Secretary to the Planning Board

## Zoning Map Amendment (Rezoning)

### **REQUIRED APPLICATION MATERIALS:**

- N/A **Application fee** in the amount of **\$1,500.00**.
- X **Completed Application** for a Zoning Map Amendment (Rezoning) signed by the applicant. Please do not leave anything blank and make sure that all of the information provided is correct.
- N/A **Appointment of Agent**, if applicable, signed by the property owner(s) and the agent.
- X **List of Adjacent Property Owners**: Please list all properties that are that are within two hundred (200) feet of the outermost boundaries of the subject property (**not counting streets, railroads or other transportation corridors**). Attach additional pages if needed. No fewer than ten (10) property owners shall be notified by mail.
- X **Deed** copy to provide proof of ownership and property boundaries.
- X **Reasons for proposed amendment**: Explain the need for the proposed changes to the zoning map. Please provide additional text and/or maps to demonstrate consistency with the approval criteria listed in **UDO §2.17.9 Criteria for Zoning Map Amendments**. The list of criteria is attached.
- X **Survey** of the subject property.
- X **Written metes and bounds description** of the subject property.
- N/A **Site** plan, if applicable
- X **Electronic copy (PDF) of all application materials** submitted to [plan@southernpines.net](mailto:plan@southernpines.net).

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

### **REVIEW AND APPROVAL:**

1. **Staff review**: Planning staff will review the application and notify the applicant if additional materials are needed.
2. **Public hearings**: The applicant is expected to attend a public hearing on the application before the Planning Board followed by a public hearing before the Town Council the following month. (Please refer to the **Application Processing Timeline** to determine the hearing dates.) The Planning Board will recommend approval, conditional approval or denial to the Town Council. The Town Council will consider that recommendation, as well as evidence and testimony presented, and approve, conditionally approve or deny the rezoning request.
3. **Approval**: The approval of an amendment to the UDO text or Zoning Map does not authorize the use, occupancy, or development of property until the applicant receives necessary development approvals, such as subdivision, site plan and building permits. (UDO §2.17.12)



## Zoning Map Amendment Application

Fee: \$1,500.00

Date Received: N/A

Case No.: Z-\_\_\_\_-\_\_\_\_

### Project Information:

Street Address: Eastman Road

PIN: 857211657012 Parcel ID: 00040888

Site Size: 1 AC Zoning: RS-1

### Applicant:

Name(s): Town of Southern Pines

Email: jmichel@southernpines.net Phone: 910-692-1983

Mailing Address: 801 SE Service Road, Southern Pines, NC 28387

### Authorized Agent, if different from Applicant:

Name(s): \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

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

Name(s): \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

1/12/22

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

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

The property which is the subject of this application is located on the north side of Eastman Rd. (St./Ave.), between 4th St. (St./Ave.) and W. New York Ave. (St./Ave.). The property has a frontage of 200 feet and a depth of 217 feet.

The zoning map amendment sought is based upon Section(s) 2.17.1(A)(2) of the **Town of Southern Pines Unified Development Ordinance**. The proposed use of the property is as follows:  
Rezoning of the property from RS-1 to FRR. The property is proposed to be used by the Town for storage of materials utilized by the Town's Public Works Department

Date: 3/24/2023

James Michel  
Applicant

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

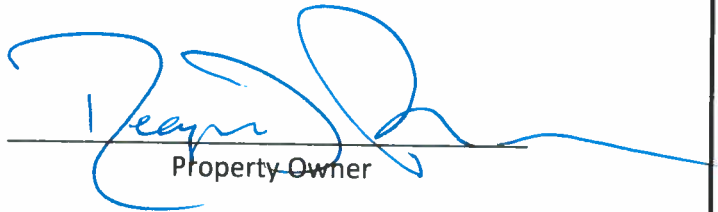
### APPOINTMENT OF AGENT

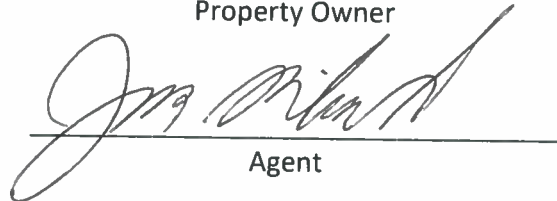
The undersigned owner(s), Town of Southern Pines, hereby appoint(s) James Michel as the exclusive agent for the purpose of making an application to the Town of Southern Pines for a Zoning Map Amendment for a rezoning of the property described in the attached application. The owner(s) hereby agree(s) that this agent has the authority to act for and on behalf of the owner(s) as follows:

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

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

Signed this 30<sup>th</sup> day of March, 2023.

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

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

List of Adjacent Property Owners

|    | Owner Name                                                         | Parcel ID |                                                |
|----|--------------------------------------------------------------------|-----------|------------------------------------------------|
| 1. | McNeill, Vondola S, C/O Darlene Mohamud                            | 00036523  | 1330 Banks Road, Apt 106,<br>Margate, FL 33063 |
| 2. | Lane, Ralph C & Ora Bell, C/O W F Jackson                          | 00035546  | 9643 Plimpton Road, La Mesa,<br>CA 91941       |
| 3. | Ewings, Annice                                                     | 00038806  | 15523 Jewel Ave, Apt 3B,<br>Flushing, NY 11367 |
| 4. | Thompson, Nancy & Jacqueline & Council,<br>Marquette Odessia (HRS) | 00039670  | 291 S Mechanic St, Southern<br>Pines, NC 28387 |
| 5. | Town of Southern Pines                                             | 00039732  | PO Box 870, Southern Pines, NC<br>28388        |
| 6. | Pinehurst Area Realty                                              | 00036376  | PO Box 1511, Pinehurst, NC<br>28370            |
| 7. | Monroe, Earsell M & Shedeke, Abiola K                              | 00036813  | 505 S Carlisle St, Southern<br>Pines, NC 28387 |
| 8. | James, Richard L                                                   | 00035017  | 435 S May St, Southern Pines,<br>NC 28387      |
| 9. | Habitat for Humanity of the NC Sandhills, Inc.                     | 00041120  | 2268 NC Hwy 5, Aberdeen, NC<br>28315           |

FOR REGISTRATION REGISTER OF DEEDS  
JUDY D. MARTIN  
MOORE COUNTY, NC  
2003 NOV 17 03:04:29 PM  
BK:2441 PG:324-326 FEE:\$19.00  
NC REVENUE STAMP:\$2.00  
INSTRUMENT # 2003026857

This instrument drafted by: Emily A. Tobias, Gill & Tobias, LLP  
After recording, mail to: Emily A. Tobias, Gill & Tobias, LLP  
Tax Stamp: \$ 2.00

STATE OF NORTH CAROLINA )  
 )  
MOORE COUNTY ) **COMMISSIONER'S DEED**

This deed made and entered into the 3rd of November, 2003, by and between **Emily A. Tobias, as Commissioner**, as hereafter stated ("Grantor"); and **Town of Southern Pines**, Moore County, North Carolina ("Grantee") whose address is: P.O. Box 870 Southern Pines, NC 28388.

WITNESSETH:

That, whereas, in a certain special proceeding entitled "**In The Matter of the Estate of Augusta Godwin, Incompetent**," brought and pending before the Clerk of Superior Court of Moore County, North Carolina, (See Court File 03 SP 175) an order was made by said court appointing said Grantor as Commissioner to sell at public sale, subject to the confirmation of the Court, certain lands, including the lands hereinafter described; and whereas, said Grantor, acting as Commissioner as aforesaid, after due advertisement as required by law and said order of court, offered said lands for sale at public auction at the courthouse door as directed by said Order, at 2:00 pm, on the 2nd day of October, 2003, when and where said Grantee became the last and highest bidder at the price of One Thousand Dollars (\$1,000.00); and whereas, said Grantor reported said sale to the court and the same remained open for ten (10) days and no advanced bid was filed; and whereas, on the 21st of October, 2003, said court entered an order approving and confirming said sale and directing said Grantor as Commissioner to make, execute, and deliver to said Grantee a good and sufficient deed for said land upon payment to him of the said purchase price; and whereas, said purchase price has been fully paid;

Now, therefore, said Grantor, acting as Commissioner as aforesaid, under authority of said order of court and in consideration of the said purchase price of One Thousand Dollars (\$1,000), has bargained and sold and by these present does grant, bargain, sell and convey unto said grantee and his heirs and assigns a certain tract or parcel of land lying and being in McNeill Township, Moore County, North Carolina, and being more particularly described as follows:

Lying and being located on the west side of Southern Pines, North Carolina, bounded and described as follows:

BEGINNING at a stake in the north boundary of a road, said stake being the beginning corner of George Godwin's 5 acre tract as recorded in Deed Book 92, at Page 586, Moore County Registry; running thence with the first line of said tract North 3° 30' East 217.8 feet to a stake; thence South 86° 30' East 200 feet to a stake; thence South 3° 30' West 217.8 feet to the north edge of the road, the south line of five acres; thence with the south line of the 5 acre tract North 86° 30' West 200 feet to the beginning, containing one acre, more or less, and being a portion of George Godwin's aforementioned 5 acre tract.

See also that instrument recorded in Book 705, Page 417, Moore County Registry, which description is herein incorporated by reference. Note that Obie W. Godwin, spouse of Augusta Godwin, died in Moore County on January 3, 1990.

Also known as parcel LRK # 00040888, Moore County Tax Department.

Said property sold subject to all outstanding ad valorem taxes, including current year, if any, together with rights of ways, easements, or encumbrances of record.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and premises, together with all privileges and appurtenances thereto belonging to him the said Grantee and his heirs and assigns in as full and ample a manner as the Grantor as Commissioner as aforesaid is authorized and empowered to convey the same.

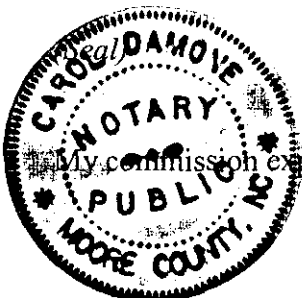
IN TESTIMONY WHEREOF, said Grantor, acting as Commissioner as aforesaid, has hereunto set his hand and seal, the day and year first above written

Emily A. Tobias (SEAL)  
Emily A. Tobias, Commissioner

STATE OF NORTH CAROLINA  
COUNTY OF MOORE

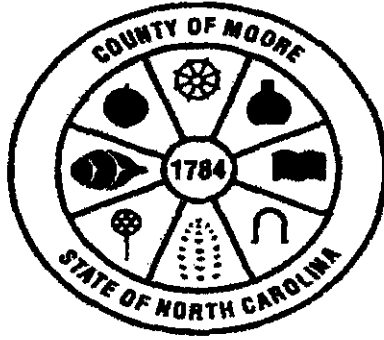
I, Carol Damone a Notary Public of said County and State, certify that  
**Emily A. Tobias, Commissioner** Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 17<sup>th</sup> day of November, 2003.



My commission expires: 2-13-2005

Carol Damone  
Notary Public



JUDY D. MARTIN  
REGISTER OF DEEDS, MOORE  
JUDICIAL BUILDING  
100 DOWD STREET  
CARTHAGE, NC 28327

\*\*\*\*\*

Filed For Registration: 11/17/2003 03:04:29 PM

Book: RE 2441 Page: 324-326

Document No.: 2003026857

DEED 3 PGS \$19.00

NC REAL ESTATE EXCISE TAX: \$2.00

Recorder: LINDA CHEEK

\*\*\*\*\*

State of North Carolina, County of Moore

The foregoing certificate of CAROL DAMONE Notary is certified to be correct. This 17TH of November 2003

JUDY D. MARTIN , REGISTER OF DEEDS

By: Linda W. Cheek  
Deputy/Assistant Register of Deeds

\*\*\*\*\*

**\*2003026857\***  
2003026857

## UDO §2.17.9. Criteria for Zoning Map Amendments

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

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

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



Public Works Department  
801 S. E. Service Road ● Southern Pines, NC 28387

## Zoning Map Amendment

### Reasons for Proposed Change

**Property Address:** Eastman Road, Southern Pines, NC 28387

**Parcel ID:** 00040888

**Owner:** Town of Southern Pines

**Agent:** James Michel, PE, MBA, Town Engineer

#### Reason For request:

The Town of Southern Pines owns the subject parcel which is located adjacent to the Town's elevated water storage tank off of Eastman Road. The property is currently zoned RS-1 and is being requested to be rezoned to FRR. The Town's Public Works department intends to utilize the property in conjunction with the adjacent tank site as a storage and laydown area. This laydown area will replace the laydown and storage area currently located off of Henley Street within the West Southern Pines Morganton-Henley Conceptual Development Plan area.

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

This request is consistent with the Town's Comprehensive as it provides adequate laydown and storage areas for the continued maintenance of the Town's infrastructure including utilities, streets, parks, and facilities.

(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.

This rezoning is not anticipated to impact neighboring properties as it is immediately adjacent to the Town's elevated water tank which is currently zoned FRR. The tank site is used for generic storage of various Town equipment and materials and is similar in nature to the proposed use of the subject parcel.

- (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 RS-1 zoning does not currently allow for the property to be used as intended.

- (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.
- (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.

The health, safety, and welfare of the public are benefitted by the continued maintenance of the Town's infrastructure including utilities, streets, parks, and facilities. The use of this property for laydown and storage will continue to assist the Town's public works department towards these goals.

- (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.

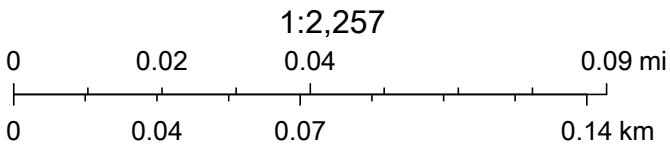
There are no issues with the size of the tract.

# Town of Southern Pines

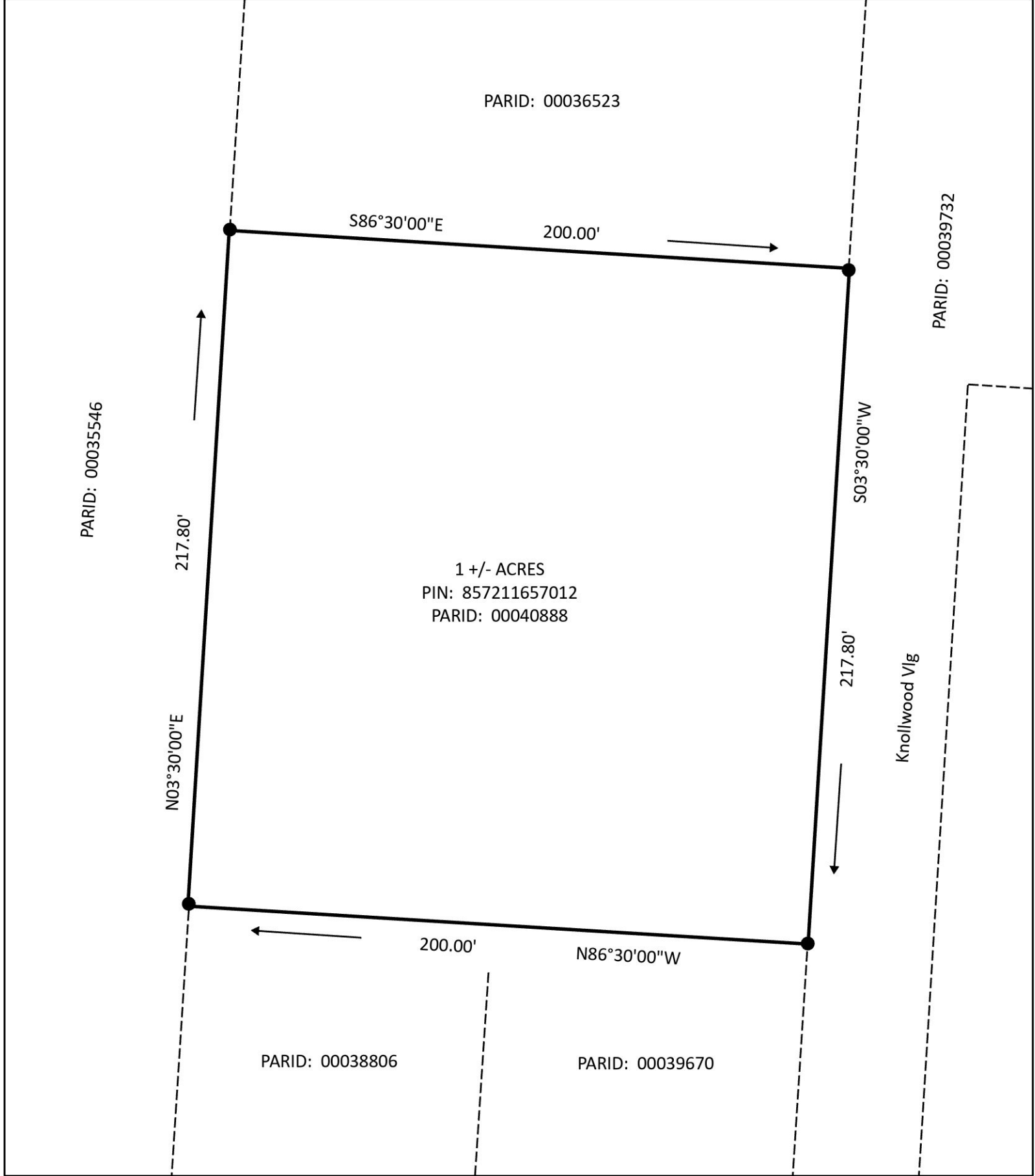


3/24/2023, 10:55:36 AM

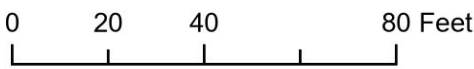
 Parcels (Black Lines)



State of North Carolina DOT, Esri, HERE, Garmin,  
INCREMENT P, USGS, EPA, USDA



Map created by Town of Southern Pines GIS staff. Descriptions from BK: 2441 PG: 324-326 Moore County Register of Deeds.



AX-??-23



**From:** [Cindy Williams](#)  
**To:** [Archie Daniel](#); [Cindi King](#); [Cory Albers](#); [David Byrd](#); [Director](#); [James Michel](#); [Ken Skipper](#); [NCDOT](#); [ncsandhillsrcw@fws.gov](#); [Ron Istre](#); [Ron Maness](#)  
**Cc:** [Alaina Mallette](#); [Cindy Williams](#)  
**Subject:** Z-03-23 Rezoning of TOSP Eastman Road Property  
**Date:** Monday, May 1, 2023 10:49:18 AM  
**Attachments:** [Z-03-23 TOSP Eastman Road PB PHN - agency comment.pdf](#)

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Good morning,

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

Sincerely,

*Cindy Williams*

Planning Department  
Town of Southern Pines  
801 SE Service Road  
Southern Pines, NC 28387  
(910) 692-4003

**NOTICE OF PUBLIC HEARING BEFORE THE TOWN OF SOUTHERN PINES  
PLANNING BOARD  
TO CONSIDER A PROPOSED AMENDMENT TO THE  
TOWN OF SOUTHERN PINES ZONING MAP**

A regular meeting of the Town of Southern Pines Planning Board will be held on Thursday, May 18, 2023, at 6:00 PM at the E.S. Douglass Community Center, 1185 W. Pennsylvania Avenue, Southern Pines, North Carolina. Notice is hereby given that a public hearing on the following Zoning Map Amendment will be held during the meeting:

**Z-03-23: Request to apply rezoning to 1 acre located on the north side of Eastman Road by the Eastman Water Tower from Residential Single-Family (RS-1) to Facilities, Resources, and Recreation (FRR)**

The Town of Southern Pines has submitted a request to rezone a 1-acre parcel from Residential Single-Family (RS-1) to Facilities, Resources, and Recreation (FRR). The principal uses authorized in the FRR zoning district include publicly owned open space and facilities as well as privately owned and man-made resource and recreation areas. The subject parcel is identified as PIN 857211657012 (PARID 00040888). The property owner is listed as the Town of Southern Pines in Moore County Deed Book 2441 Page 324, as of November 3, 2003.

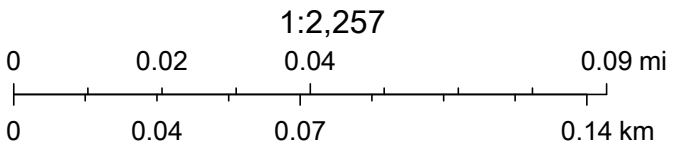
All interested citizens are invited to attend the hearing and be heard. The complete application may be reviewed at the Planning office, 801 SE Service Road, Southern Pines, North Carolina, or online at [www.southernpines.net](http://www.southernpines.net). Substantial changes in the proposed amendment may be made following the public hearing.

# Town of Southern Pines



3/24/2023, 10:55:36 AM

 Parcels (Black Lines)



State of North Carolina DOT, Esri, HERE, Garmin,  
INCREMENT P, USGS, EPA, USDA

**From:** [James, Janet R](#)  
**To:** [Cindy Williams](#)  
**Subject:** FW: [External] Z-03-23 Rezoning of TOSP Eastman Road Property  
**Date:** Friday, May 5, 2023 8:12:01 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[Z-03-23 TOSP Eastman Road PB PHN - agency comment.pdf](#)

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Hi again, Ms. Williams.

We have no comments to offer on this planned rezoning.

Thanks.

**Janet James**

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

(910) 944-7621 Office  
(910) 944-5623 Fax  
[jrjames2@ncdot.gov](mailto:jrjames2@ncdot.gov)

902 N. Sandhills Boulevard  
Aberdeen, NC 28315



*Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.*

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**From:** JuarezPozos, Dagoberto <djuarezpozos@ncdot.gov>  
**Sent:** Monday, May 1, 2023 11:01 AM  
**To:** James, Janet R <jrjames2@ncdot.gov>  
**Cc:** Garner, James T <ext-jtgarner@ncdot.gov>  
**Subject:** FW: [External] Z-03-23 Rezoning of TOSP Eastman Road Property

Janet,

This is similar to the email I just forwarded you a few minutes ago. You just have to respond with either a "No comments from NCDOT" or NCDOT comments if there are any. If you have any questions, just let me know and we can walk through it.

Dago

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**From:** Cindy Williams <[CWilliams@southernpines.net](mailto:CWilliams@southernpines.net)>

**Sent:** Monday, May 1, 2023 10:49 AM

**To:** Archie Daniel <[adaniel@southernpines.net](mailto:adaniel@southernpines.net)>; Cindi King <[CKing@southernpines.net](mailto:CKing@southernpines.net)>; Cory Albers <[calbers@southernpines.net](mailto:calbers@southernpines.net)>; David Byrd <[DByrd@southernpines.net](mailto:DByrd@southernpines.net)>; Director <[director@rluac.com](mailto:director@rluac.com)>; Michel, James <[JMichel@southernpines.net](mailto:JMichel@southernpines.net)>; Ken Skipper <[KSkipper@southernpines.net](mailto:KSkipper@southernpines.net)>; JuarezPozos, Dagoberto <[djuarezpozos@ncdot.gov](mailto:djuarezpozos@ncdot.gov)>; [ncsandhillsrcw@fws.gov](mailto:ncsandhillsrcw@fws.gov); ISTRE, RONALD <[ristre@southernpines.net](mailto:ristre@southernpines.net)>; Ron Maness <[rmaness@moorecountyairport.com](mailto:rmaness@moorecountyairport.com)>

**Cc:** Alaina Mallette <[amallette@southernpines.net](mailto:amallette@southernpines.net)>; Cindy Williams <[CWilliams@southernpines.net](mailto:CWilliams@southernpines.net)>

**Subject:** [External] Z-03-23 Rezoning of TOSP Eastman Road Property

**CAUTION:** External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Good morning,

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

Sincerely,

*Cindy Williams*

Planning Department  
Town of Southern Pines  
801 SE Service Road  
Southern Pines, NC 28387  
(910) 692-4003

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