PLANNING AND ZONING BOARD
OCTOBER 1, 2020
ASSEMBLY HALL
395 MAGNOLIA RD.
PINEHURST, NORTH CAROLINA
4:00 PM

I. Call to Order

II. Approval of Minutes

A. 08-06-2020 Regular Meeting Minutes

III. Public Hearing

A. Public Hearing No. 1

The purpose of the public hearing is to consider a request for a Major Subdivision Review for a 40 lot single family subdivision. The subject subdivision includes Moore County PID# 00046287 and a portion of PID# 00046241. The subject area connects to and is south of Blake Blvd. and also abuts Olivia Ln. The properties included with this proposal are currently zoned R-5 (High Density Residential) and NC (Neighborhood Commercial). The applicant and the property owner is The Cottages at Legacy Lakes, LLC.

IV. General Business

A. 2021 Meeting Schedule

V. Next Meeting Date

B. November 5, 2020

VI. Motion to Adjourn

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.
Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.
Values: Service, Initiative,Teamwork, and Improvement.

08-06-2020 REGULAR MEETING MINUTES
ADDITIONAL AGENDA DETAILS:

FROM:
Kelly Brown

CC:
Darryn Burich & Alex Cameron

DATE OF MEMO:
9/22/2020

MEMO DETAILS:
Attached are the draft minutes for the 08-06-2020 regular Planning & Zoning Board meeting for your review.

ATTACHMENTS:

	Description
🗋	08-06-2020 Regular Meeting Minutes

PLANNING AND ZONING BOARD
REGULAR MEETING
THURSDAY, AUGUST 6, 2020
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:00 PM

Board Members Present:	**Board Members Absent:**	**Staff Present:**
Leo Santowasso, Chair	Julia Latham	Alex Cameron, Senior Planner
Cyndie Burnett	Joel Shriberg	Kelly Brown, Administrative Assistant
David Alzamora	Phillip Shumaker	
Jeramy Hooper	Paul Roberts	
Sonja Rothstein		

I. Call to Order

Mr. Santowasso confirmed a quorum was present and called the meeting to order at 4:00 pm.

II. Approval of Minutes

A. July 9, 2020 Regular Meeting Minutes

Mr. Alzamora moved to approve the July 9, 2020 regular meeting minutes. Seconded by Ms. Burnett. Carried unanimously vote of 4-0.

III. General Business

A. Update on Future Planning and Zoning Board Items

Senior Planner Alex Cameron updated the Board on potential changes to the Pinehurst Development Ordinance on the topics of landscaping and tree preservation requirements and golf course setbacks. He stated potential landscaping changes could include a "protection area" to protect and preserve trees in the setback and buffer areas, and changes to the required number of plantings for replacement. He stated developing a specific definition on how to apply a golf course setback could reduce the number of golf course setback variance requests being heard by the Board of Adjustment. The Board discussed the potential changes and provided feedback to Mr. Cameron. No action was taken by the Board.

IV. Next Meeting Date

A. Regular Meeting on September 3, 2020

V. Motion to Adjourn

Mr. Hooper motion was made to adjourn the regular meeting Ms. Burnett. Carried unanimously by a vote of 4-0 at 5:18 pm.

Respectfully Submitted,

Kelly Brown
Administrative Specialist
Village of Pinehurst

A videotape of this meeting is located on the Village website: www.vopnc.org.

The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions. Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors. Values: Service, Initiative, Teamwork, and Improvement.

DRAFT

PUBLIC HEARING NO. 1
ADDITIONAL AGENDA DETAILS:

The purpose of the public hearing is to consider a request for a Major Subdivision Review for a 40 lot single family subdivision. The subject subdivision includes Moore County PID# 00046287 and a portion of PID# 00046241. The subject area connects to and is south of Blake Blvd. and also abuts Olivia Ln. The properties included with this proposal are currently zoned R-5 (High Density Residential) and NC (Neighborhood Commercial). The applicant and the property owner is The Cottages at Legacy Lakes, LLC.

FROM:
Alex Cameron

CC:
Darryn Burich & Kelly Brown

DATE OF MEMO:
9/24/2020

MEMO DETAILS:
The applicant is seeking approval of the proposed Major Subdivision in accordance with Section 9.17.1.3 of the Pinehurst Development Ordinance (PDO).

Please see the attached documents related to this public hearing.

ATTACHMENTS:

Description

- Staff Report
- Application
- Preliminary Plat
- Trip Generation Letter
- Red Cockaded Woodpecker Survey Report

PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT

To: Planning and Zoning Board
From: Alex Cameron, Senior Planner
Cc: Darryn Burich, Director of Planning and Inspections
Kelly Brown, Planning Administrative Specialist and Clerk to the Board
Date: September 25, 2020
Subject: Staff Report for Proposed Pinehurst South Cottages Major Subdivision

Applicant:	The Cottages at Legacy Lakes, LLC
Owner:	The Cottages at Legacy Lakes, LLC
Property Location:	South of Blake Boulevard, East of NC Hwy 5 and North of Olivia Lane
Zoning:	R-5 Residential District is established as a district in which the principal use of land is for high-density residential uses. This district is further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.
Land Area	± 14.4 Acres
Current Land Use:	Vacant – High Density Residential
Proposed Land Use:	High Density Residential with proposed development of a 37 lot single family residential subdivision.

Background and Analysis

The applicant requests a Major Subdivision approval to allow for a 37 lot single family subdivision located in the Village's extraterritorial jurisdiction (ETJ). In accordance with Section 9.17.1.3 of the Pinehurst Development Ordinance (PDO), all proposed major subdivisions are reviewed by the Planning & Zoning Board and a public hearing is to be held. The Planning & Zoning Board must then submit a recommendation on the proposed major subdivision to the Village Council.

There are two parent tracts of this proposed subdivision. One is identified as Moore County PID# 00046241 and abuts Blake Boulevard The applicant has already subdivided a 1.3 acre parcel off of this parent tract and is being used to gain access to Blake Boulevard from the proposed subdivision. The other parent tract is identified as Moore County PID# 00046287 and is approximately 13 acres in size. This tract abuts Olivia Lane and two existing single family lots which also front on Olivia Lane. Olivia Lane is currently being used by the Village of Pinehurst to provide emergency access to the rear of the lots in The Country Club of North Carolina (CCNC) only. The Village currently has an agreement with the Aberdeen Carolina and Western Railway Company to use the crossing at the railroad adjacent to NC Hwy 5 for this sole purpose. The ownership of Olivia Lane is in question and has yet to be determined.

The subject area is located just outside of the Village's corporate limits and within the Village's ETJ. The applicant has indicated that they plan to petition for voluntary annexation into the Village's corporate limits. The proposed subdivision is adjacent to various land uses and zoning (see the table below and the attached zoning map).

Adjacent Land Uses and Zoning		
Area	**Existing Uses**	**Zoning**
North	Senior Living/Retirement and Health & Rehabilitation Center	NC
South	Single Family Residential and Vacant (CCNC)	R-210
East	Single Family Residential and Vacant (CCNC)	R-210
West	Vacant Commercial and Office	NC & OP
Comprehensive Plan Land Use Designation		
Focus Area 2 Highway 5 Commercial Area – Mixed Use-Stacked Residential		

The 2019 Comprehensive Plan identifies this area as Focus Area 2: Highway 5 Commercial Area. The Comprehensive Plan recommends that a small area plan be developed for this area with additional public input to ensure high quality development and consider the need for mixed-uses with a primary focus on office, medical, life science and research facilities with small scale retail services which could create an "Innovation Hub". The plan also includes considering a residential component as well above the first floor. The proposed single family subdivision is not consistent with the Comprehensive Plan however, it is compliant with the existing zoning.

The proposed subdivision would create 37 new single family lots. The smallest lot is shown to be 6,054 square feet in size which exceeds the minimum lot size requirement of 5,000 square feet in the R-5 zoning district. The largest lot shown is 13,479 square feet in size. The proposed typical lot size is approximately 6,600 square foot in size and would allow for approximately 2,800 square feet of buildable area. The property is not located within a watershed protection area thus there are no further limits on the development intensity for these properties. There is no option to develop a residential open space subdivision in R-5 zoning district. The proposal does include other lots which will consist of open space, stormwater management area and sanitary sewer pump station. The lift station and lot is proposed to be turned over to Moore County Public Works for ownership while the other lots are to be owned and maintained by the homeowners association (HOA). Each lot will meet the dimensional criteria of the R-5 zoning district as shown in the table below.

R-5 Zoning District Dimensional Requirements	
Minimum Lot Size	5,000 square feet
Maximum Building Height	35 feet
Maximum Lot Covered by Impervious Surface	45%
Building Setbacks	
Principal Building Front Setback	20 feet
Principal Building Side Setback	10 feet
Principal Building Side Street Setback	15 feet
Principal Building Rear Setback	20 feet
Accessory Building Side Setback	5 feet
Accessory Building Side Street Setback	15 feet
Accessory Building Rear Setback	10 feet

Subdivision Standards

Subdivision layout and design are reviewed for compliance with Section 9.17.1.12 of the PDO and the Technical Review Committee (TRC) has been reviewing this proposed major subdivision for compliance with the PDO and the Village of Pinehurst Engineering Standards and Specifications Manual (ESSM).

The applicant is proposing internal streets with a 60’ right of way, 24’ street width and a 49’ cul-de-sac radius. The approximate total length of all the internal streets is 2,161 linear feet. The applicant is proposing to use concrete valley gutter in lieu of concrete curb and gutter which will require a waiver of the standards in the ESSM and can only be granted by Village Council. Access to the subdivision will be from a connection to Blake Boulevard, a Village owned right-of-way. All streets will be required to be constructed in accordance with the Village’s ESSM as well as meet the requirements for emergency services vehicles. A 20’ gated emergency vehicle access from Olivia Lane is shown on the preliminary plat.

Street trees will be required at a rate of one large hardwood or pine per 40 linear feet of road frontage minus driveways. The approximate location of the street trees are depicted on the plat. Other than the required street trees, the only other shown and required landscaping is an evergreen landscape screen around the pump station lot and is also depicted on the preliminary plat.

Sidewalks are required to be installed along one side of all new streets and are being shown on the submitted plans.

The proposal includes public water and sewer to the lots that will be served by Moore County Public Works. The applicant has provided a separate proposed utility layout plan and is included with this submittal. The current plan indicates stormwater control measures on-site and is depicted on the preliminary plat on Lot 39. The stormwater system will be designed and constructed in accordance with the Village's ESSM and may be subject to change to meet those requirements. The applicant indicates that a homeowners association will be formed and will be responsible for maintaining all drainage pipes and structures located outside of the street right of ways.

Other Review Requirements

There is an active red-cockaded woodpecker (RCW) partition at the southeastern tip of the subject parcel. The applicant has provided an assessment from Dr. J.H. Carter III & Associates, Inc., Environmental Consultants, that state there would be no adverse impacts to the RCW. The letter is now over a year old and an updated letter and concurrence from the United States Fish and Wildlife Service (USFWS) will need to be provided prior to final approval. A Soil and Erosion Control Permit will need to be obtained by the North Carolina Department of Environmental Quality (NCDEQ) prior to any development due to the area of disturbance exceeding one acre. There are no wetlands, streams or regulated bodies of water within the subject properties.

Review Process of Major Subdivisions

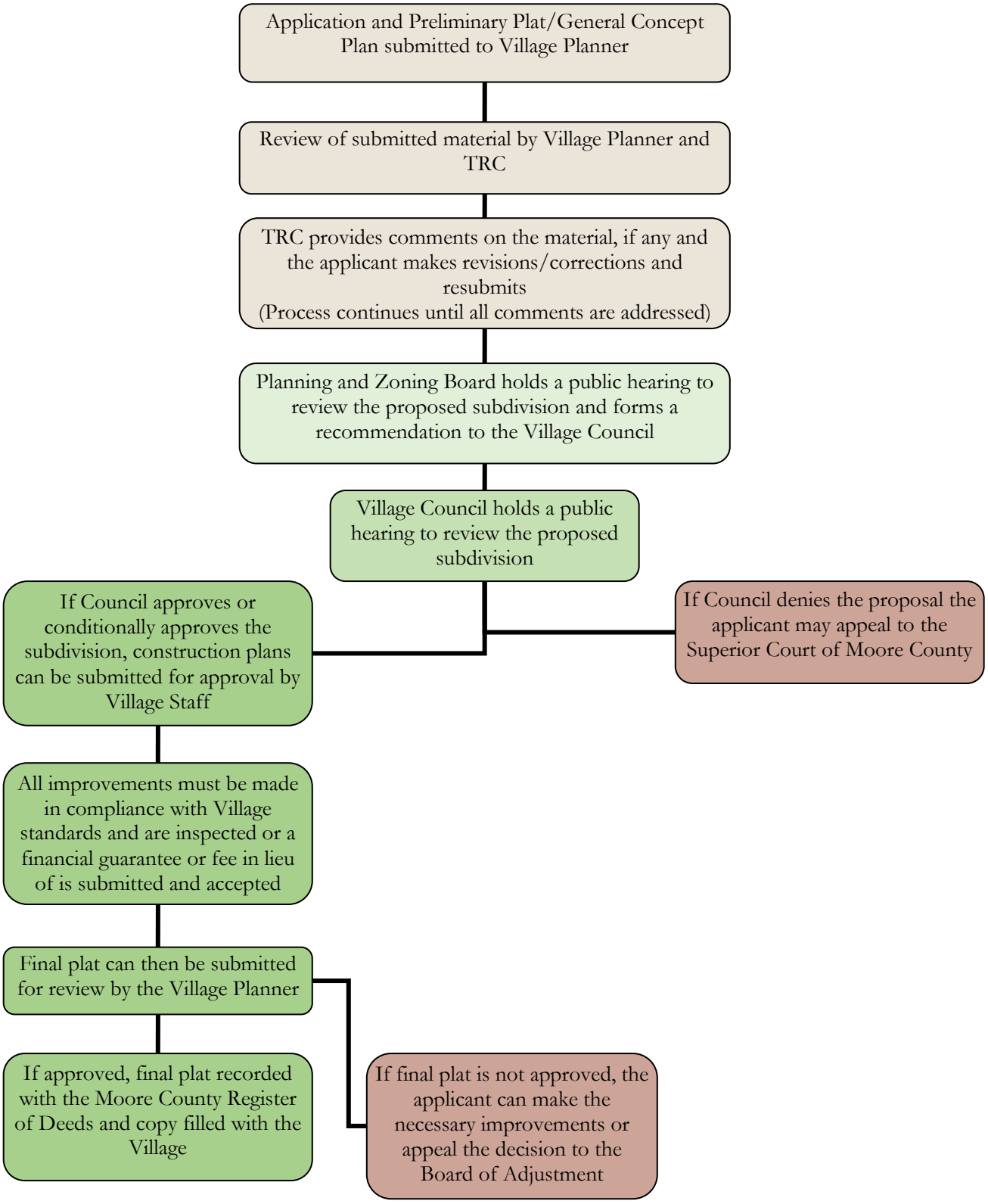
Approval of plats for Major Subdivisions is a multi-step process. An application, subdivision plat and other supplementary material is first submitted to the Village Planner. The Planner then distributes the material to the TRC for review. The TRC is made up of staff from the Village's Planning and Inspections Department, Administration Department, Public Services and Engineering Department, Fire Department and Moore County Public Works. If there are any errors, omissions or other items that need to be addressed, the TRC provides comments to the applicant for revisions or clarification. The applicant then makes revisions and corrections to the material and resubmits. This process repeats until all items are addressed and the Village Planner schedules the subdivision for review by the Planning and Zoning Board. Public hearing notices are sent to adjacent property owners, sign(s) notifying the public hearing are posted on the subject property, and a public hearing notice is published in the newspaper.

The Planning and Zoning Board conducts a public hearing and reviews the proposed subdivision. The Planning and Zoning Board reviews the preliminary plat, the recommendations of the TRC (if any), and the requirements of the Ordinance and shall make a recommendation to the Village Council for

appropriate action on the preliminary plat. The Planning and Zoning Board may request the applicant to revise the preliminary plat before it is submitted to the Village Council for approval.

Village Council will then conduct a public hearing and review the proposal along with the recommendation of the Planning and Zoning Board. Village Council can then approve, conditionally approve or reject the preliminary plat, along with recommendations for ways to revise the preliminary plat so that is could be approved. The Village Council must take action on the preliminary plat within 90 days of the first Village Council meeting which the application is placed on an agenda. Failure to act within 90 days is deemed an approval of the preliminary plat.

If approved, the applicant can then submit full construction drawings to the TRC for review and approval. Once approved, the applicant can begin to install the necessary improvements. A final plat will not be approved until the applicant has installed all the necessary improvements and such improvements have been inspected and ensured to be compliant or a financial guarantee has been put in place for the remaining items. After approval and recording of the final plat with the Moore County Register of Deeds, building permits may be issued for the individual lots.


Application and Preliminary Plat/General Concept Plan submitted to Village Planner
Review of submitted material by Village Planner and TRC
TRC provides comments on the material, if any and the applicant makes revisions/corrections and resubmits
(Process continues until all comments are addressed)
Planning and Zoning Board holds a public hearing to review the proposed subdivision and forms a recommendation to the Village Council
Village Council holds a public hearing to review the proposed subdivision
If Council approves or conditionally approves the subdivision, construction plans can be submitted for approval by Village Staff
If Council denies the proposal the applicant may appeal to the Superior Court of Moore County
All improvements must be made in compliance with Village standards and are inspected or a financial guarantee or fee in lieu of is submitted and accepted
Final plat can then be submitted for review by the Village Planner
If approved, final plat recorded with the Moore County Register of Deeds and copy filled with the Village
If final plat is not approved, the applicant can make the necessary improvements or appeal the decision to the Board of Adjustment

Planning and Zoning Board Review and Action

The Village Planner will forward the submitted material on the proposed Major Subdivision along with the recommendation of the TRC to the Planning and Zoning Board. The Planning and Zoning Board shall conduct a public hearing on the proposal and review the material along with the recommendation of the TRC and the requirements of the PDO. The Planning and Zoning Board shall formulate a recommendation to the Village Council for action on the proposed subdivision. The Planning and Zoning Board may request the applicant revise the preliminary plat before it is submitted to Village Council for review.

Staff and TRC Recommendation

The TRC has reviewed the proposed Major Subdivision and have issued comments to the applicant. Because all the comments have not fully been addressed nor has the applicant submitted a revised preliminary plat by the date of this memo addressing the comments of TRC, staff recommends the Planning and Zoning Board continue the public hearing until the next regular scheduled meeting date of November 5th.

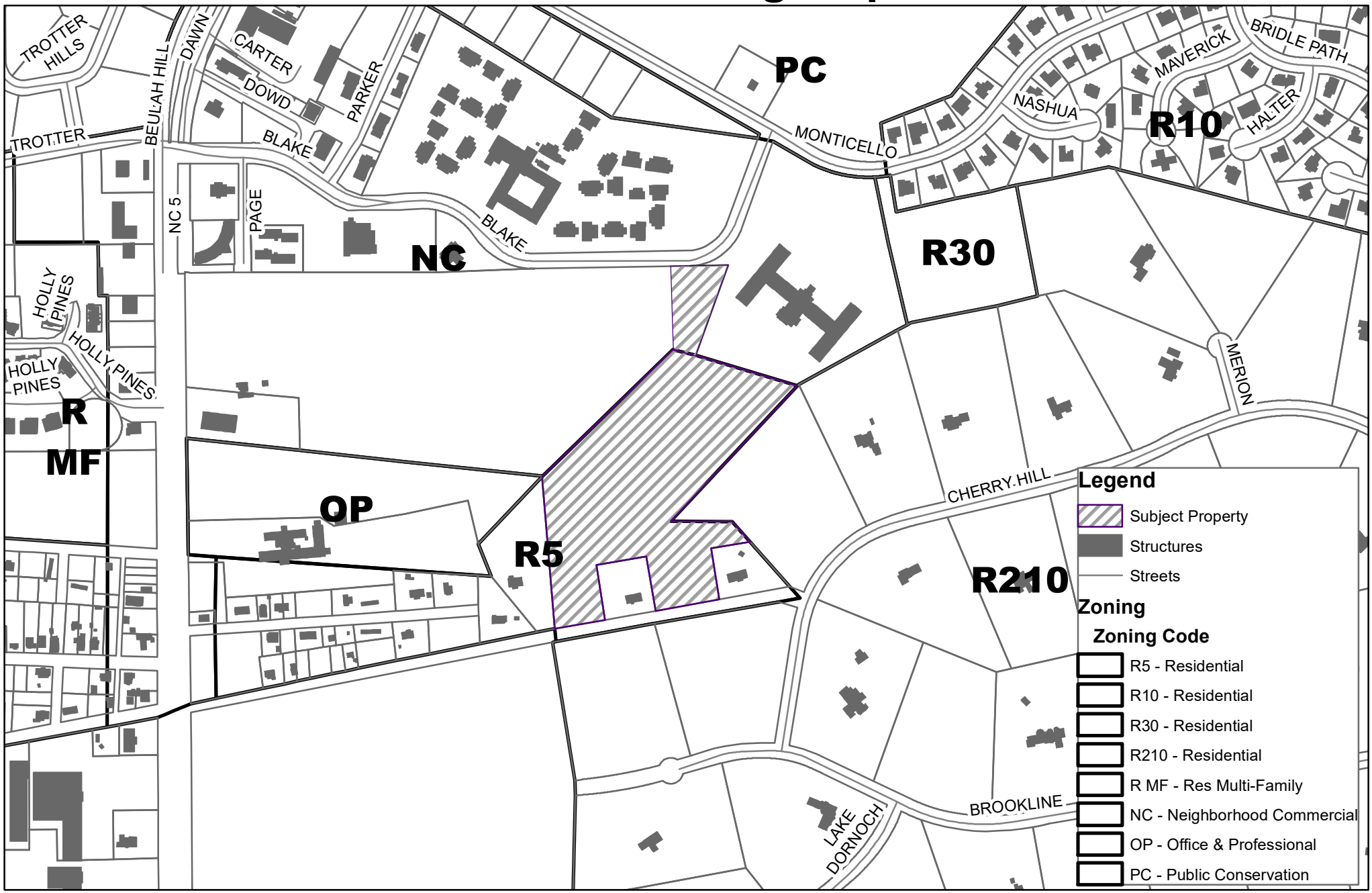
The latest round of comments that sent to the applicant are attached to this report and include the following major items that need be addressed:

- Recommend reserving right-of-way at the southern cul-de-sac and to adjacent properties to provide for continuation/extension of streets in the Olivia Road and Arnette Street area to comply with Section 9.17.1.15 (B) of the PDO.
- Consider relocating the access road from Blake Boulevard more to the west to abut the adjacent property to create one larger and potentially developable lot.
- Block length for western block appears to exceed the PDO maximum length of 1,000 feet (applicant disagrees with staff interpretation)
- Provide an updated RCW letter or assessment.
- Recommend the applicant provide documentation to show compliance with the required intersection sight distance per Section 3.02a of the ESSM.
- With the proposed number of lots requiring a secondary access to the subdivision and the proposed emergency access being located off Olivia Lane, the Village's current agreement with Aberdeen Carolina and Western Railway Company will have to be renegotiated. This may change the proposed secondary access unless the number of lots are reduced or the homes are equipped with a fire sprinkler suppression system.

Attachments:

- Area Zoning Map
- Aerial Map
- Adjacent Property Owner Notification of Public Hearing
- Labels of Adjacent Property Owners Notified
- Map of Adjacent Property Owners Notified
- Latest TRC Comments Sent to the Applicant

Area Zoning Map



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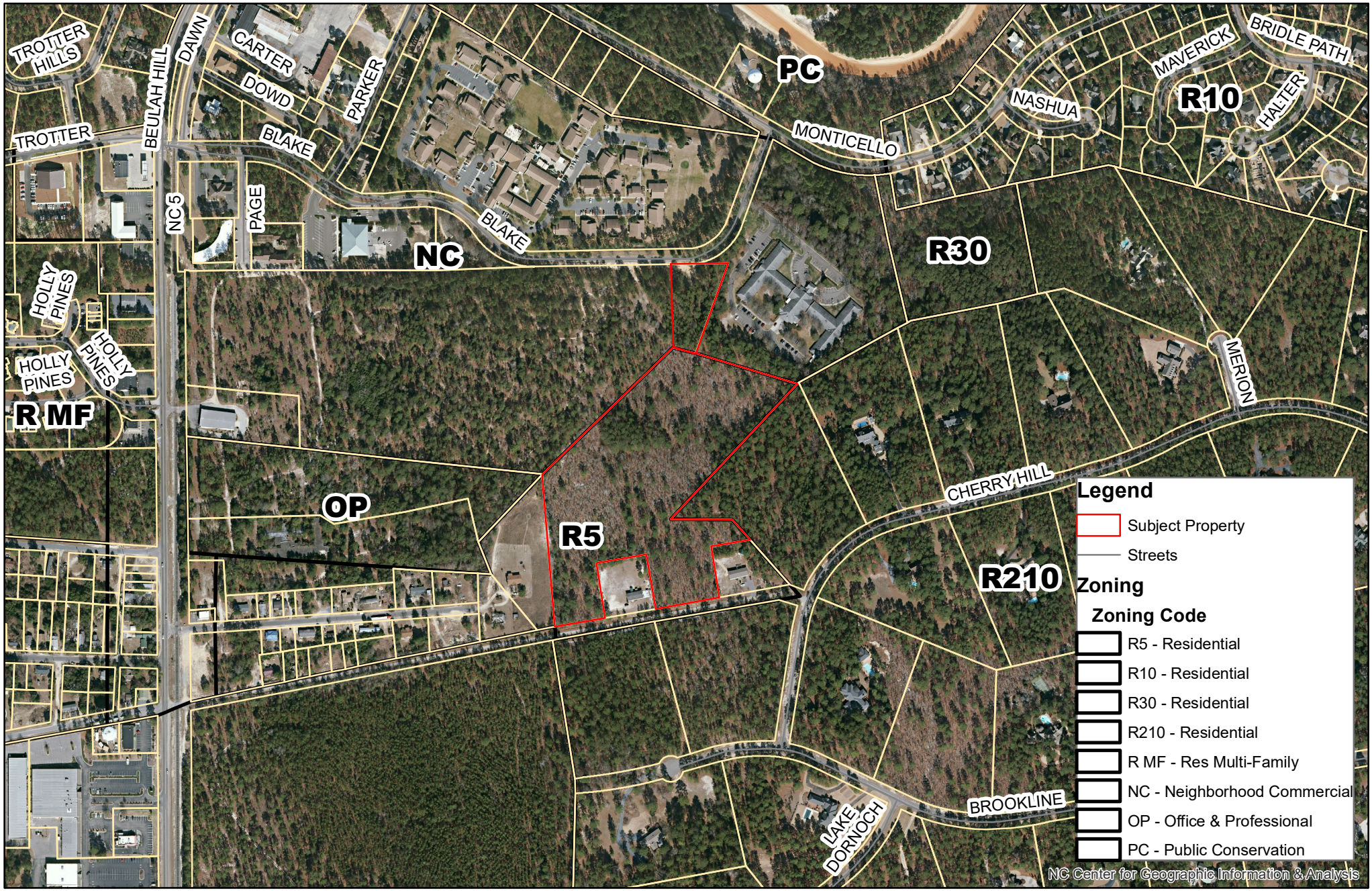
9/22/2020

October 1, 2020
Planning and Zoning Board
Public Hearing for Major Subdivision

1895 Village of Pinehurst

N W E S

Aerial Map



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October 1, 2020
Planning and Zoning Board
Public Hearing for Major Subdivision

1895 Village of Pinehurst

N W E S

NOTICE OF PUBLIC HEARING
VILLAGE OF PINEHURST

September 18, 2020

Dear Property Owner:

The Village of Pinehurst Planning and Zoning Board will hold a Public Hearing on Thursday, October 1, 2020 at 4:00 PM. Members of the Planning and Zoning Board and staff will be participating at Village Hall 395 Magnolia Rd. Pinehurst, North Carolina as well as electronically and remotely via the virtual meeting platform ZOOM. The meeting will be streamed in real-time on the Village's website, at www.vopnc.org/live , for public viewing/listening and video-recorded for future reference.

1. *The purpose of the public hearing is to consider a request for a Major Subdivision Review for a 40 lot single family subdivision. The subject subdivision includes Moore County PID# 00046287 and a portion of PID# 00046241. The subject area connects to and is south of Blake Blvd and also abuts Olivia Ln. The properties included with this proposal are currently zoned R-5 (High Density Residential) and NC (Neighborhood Commercial). The applicant and the property owner is The Cottages at Legacy Lakes, LLC.*

As the owner of said property, an adjacent property owner or as the applicant, you are receiving formal notification of this Public Hearing. Information on this request is available for public review at the Planning and Inspections Department, Village Hall, 395 Magnolia Road, Pinehurst, North Carolina, Monday through Friday from 8:30 AM to 5:00 PM with the exception of holidays. Information on this request will also be made available the week of the meeting on the Village of Pinehurst's Novus Agenda website at https://pinehurst.novusagenda.com/agendapublic/.

All persons wishing to be heard or comment on this proposal can attend this meeting during the public hearing at Village Hall or can send their comments to the Clerk to the Board at kbrown@vopnc.org to be read during the public hearing. There will also be a minimum of a 24 hour comment period following the public hearing where comments can be sent to the Clerk to the Board prior to action by the Planning and Zoning Board.

For more information, please call (910) 295- 2581.

B B L ASSOCIATES C/O HARRIS BLAKE
PO BOX 4266
PINEHURST, NC 28374

ROGERS, JAMES PAUL TRUSTEE ROGERS, MARGARET SUE LUKEN TRUSTEE
100 CHERRY HILL DR
PINEHURST, NC 28374

THREEXLAND, LLC C/O THE MOSER GROUP
231 POST OFFICE DR, UNIT B8
INDIAN TRAIL, NC 28079

MANNING REALTY COMPANY
PO BOX 6300
PINEHURST, NC 28374

STONE HOLDING COMPANY, LLC
PO BOX 83
PINEHURST, NC 28374

HUYNH, TUANSON HUYNH, HONGDAO
880 SAINT ANDREWS DR
PINEHURST, NC 28374

TUMBLEWEED LLC
PO BOX 1495
PINEHURST, NC 28370-1495

HUYNH, TUANSON HUYNH, HONGDAO
880 SAINT ANDREWS DR
PINEHURST, NC 28374

INGRAM, MARGUERITE W
PO BOX 3033
PINEHURST, NC 28374

PINEHURST NURSING CENTER INC C/O TRIAD MED SVS
PO BOX 969
YADKINVILLE, NC 27055

SCHNEIDERMAN, ROY & COCHRAN, CORINNE
655 LAKE DORNOCH DR
PINEHURST, NC 28374

MAHALEY, LISA MARLENE
6040 6TH STREET
SURF CITY, NC 28445

PAGE INVESTMENTS LLC
PO BOX 4210
PINEHURST, NC 28374

ZF PROPERTIES LLC
306 LANDAULET COURT
PEACHTREE CITY, GA 30269

BROAD STREET MANAGEMENT, LLC
2315 MIDLAND RD
PINEHURST, NC 28374

DEMBOSKY HOLDINGS, LLC
921 YADKIN ROAD
SOUTHERN PINES, NC 28387

THOMAS, RANDY
5906 BARRINGTON
CHARLOTTE, NC 28215

BETHEA, BENJAMIN MARK & LOCKLEAR, RONDA MARIE
PO BOX 3706
PINEHURST, NC 28374-3706

MCCLAIN, JON P & MOLLY M
70 BELAIR DR
PINEHURST, NC 28374

ROGERS, JAMES PAUL TRUSTEE ROGERS, MARGARET SUE LUKEN TRUSTEE
100 CHERRY HILL DR
PINEHURST, NC 28374

COTTAGES AT LEGACY LAKES LLC, THE
PO BOX 4839
PINEHURST, NC 28374

STONE HOLDING COMPANY, LLC
PO BOX 83
PINEHURST, NC 28374

SMITH, MARK
500 S VALLEY RD
SOUTHERN PINES, NC 28387

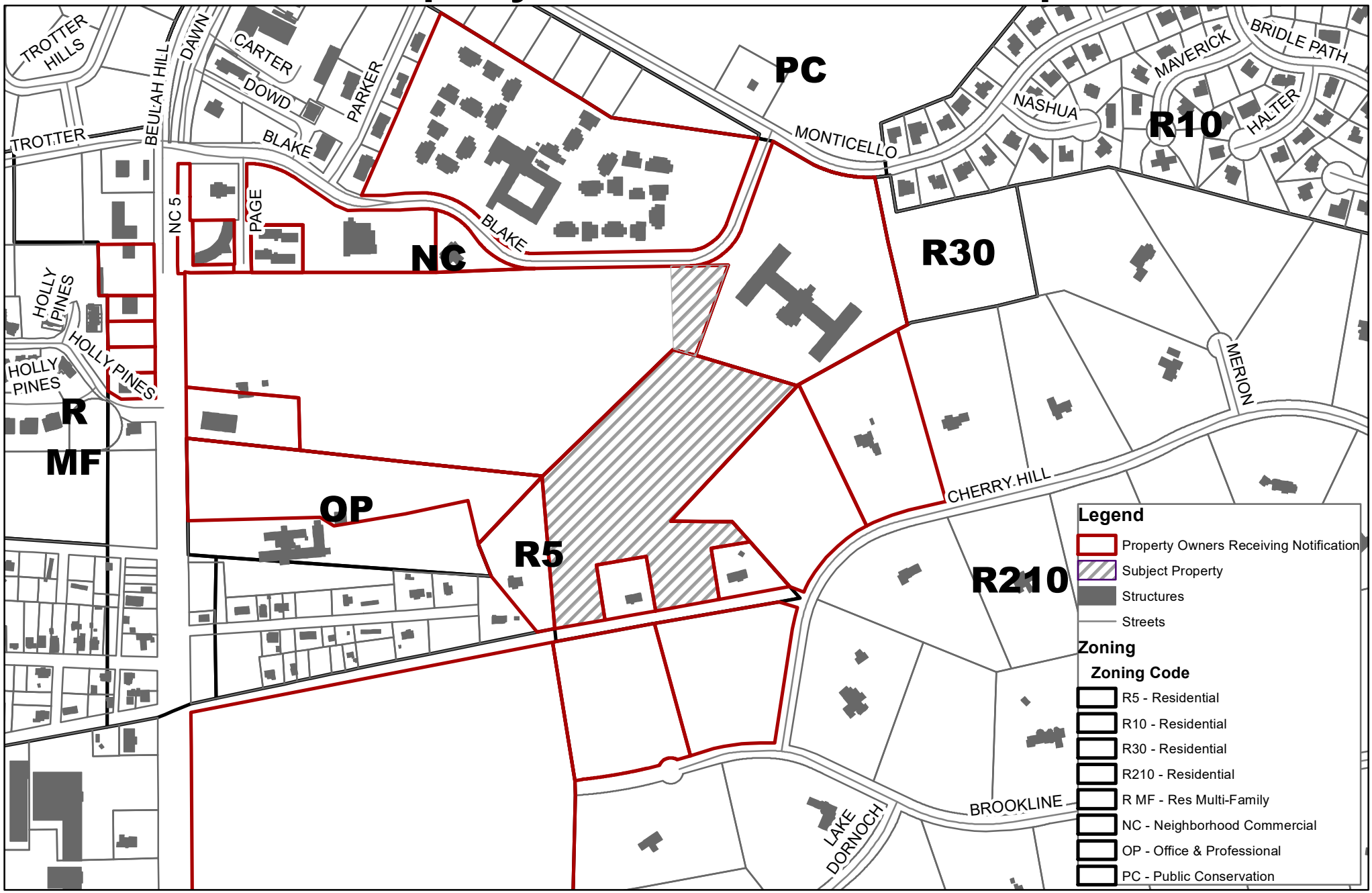
MATTHEWSON PROPERTIES, LLC
6680 BEULAH HILL CH RD
WEST END, NC 27376-9165

QUAIL HAVEN PROPERTIES OF PINEHURST, LLC
2334 S 41ST STREET
WILMINGTON, NC 28403

U S POSTAL SERVICE
475 L'ENFANT PLAZA, SW
WASHINGTON, DC 20260-2200

DEMBOSKY HOLDINGS, LLC
921 YADKIN ROAD
SOUTHERN PINES, NC 28387

Property Owner Notification Map



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October 1, 2020
Planning and Zoning Board
Public Hearing for Major Subdivision

1895 Village of Pinehurst

N W E S

September 17, 2020

The Cottages at Legacy Lakes, LLC
c/o Marcel Goneau
101 Bradford Village Ct.
Southern Pines, NC 28387

CC: Tim Carpenter & Philip Picerno
LKC Engineering, PLLC
140 Aqua Shed Ct.
Aberdeen, NC 28315

From: Alex Cameron, Senior Planner

RE Pinehurst South Cottages Major Subdivision Preliminary Plat Review Comments SAC

The following are review comments for the above-mentioned project. Please make the appropriate corrections to the preliminary plat, application and/or supplemental material and submit an electronic complete sets of revisions for review of staff and the Planning and Zoning Board. If you have specific questions regarding any of these comments please address them to the commenting party or contact me about the issue.

Comments of Alex Cameron, Senior Planner

1. Please include the minimum lot width at setback line from Table 9.2a of the PDO to the setback table. Lot #38's (pump station lot) lot width at the setback line may need to be adjusted to meet this requirement.

2. Response to previous comment #2 indicated the maximum impervious percentage of each lot of 45% per the R-5 Zoning District. Based on the dimensions of the proposed infrastructure, please indicate the proposed impervious area is for the project.

3. It appears that there still may be just a few lots that are not labeled and will be owned and maintained by the HOA. Please label these lots as well as indicate which lots are proposed to be owned by the HOA.

4. It appears that possibly only specimen pine trees were indicated in the project area. Please review and include all those specimen trees, if any, as defined in section 9.5.1.8 of the PDO (holly & magnolia).

5. Previous response to comment #12 was that the owner plans to petition for voluntary annexation into the Village's Corporate Limits. Is there a projected timeframe for this?

6. Per Section 9.17.1.15 (B) reserve right-of-way at southern cul-de-sac to provide for continuation or extension of principal streets in the area to Olivia Rd. and Arnette Street. This would be in line with good land planning practices and as the Railroad looks to abandon one of the crossings in the area, (Olivia Rd.) would allow and provide access to Arnette St. in the future.

7. Will there be any proposed signage for the subdivision?

Comments of Darryn Burich, Planning & Inspections Director

1. With this current proposal, the agreement between the Village and the Railroad will have to be renegotiated. This could change the Village's ability to access the crossing at Olivia Rd. and potentially the ability to provide emergency services to this subdivision to the south and to the lots in CCNC.

Comments of Mike Apke, Public Services & Engineering Director

1. Response to previous Comment #1 indicates that 250 feet of sight distance in both directions is required, and that the proposed street connection to Blake Boulevard achieves the minimum sight distance requirement. Our interpretation of the AASHTO Greenbook is that 280 feet of sight distance is required for vehicles turning left onto Blake Boulevard. In addition, existing trees on the northern shoulder of Monticello Drive, and possibly trees that are located on the Quail Haven property across the street appear to impact the sight distance in this area. Please revisit this issue and let me know if you'd like to meet on site to review and further discuss. If you continue to believe that the project complies with all requirements of the AASHTO Greenbook (as required by the Village's adopted Engineering Standards and Specifications Manual or ESSM), I would recommend submitting a letter that is signed and sealed by a North Carolina licensed professional engineer stating this opinion.

2. Response to previous Comment #2 indicates that a sight triangle easement is not anticipated to be necessary at the connection to Blake Boulevard. Please clarify, as the 10' X 70' sight triangle easement is part of the Village's adopted standards and the triangle shown on the plat extends off of the parcel. How will the standard be met without an easement?

3. Response to previous Comment #3 did not address the question as to whether there is enough area in the

proposed right-of-way to install the new roadway, sidewalks, street trees, storm pipes, and other utilities in accordance with NCDEQ regulations. I would suggest discussing the location of the proposed utilities, in relation to the proposed street trees with Moore County Public Utilities

4. Response to previous Comment #4 did not address the question regarding maintenance responsibilities for the pipe between Lots 3 and 4. We presume that this pipe will be maintained by the HOA, but please clarify. Note that the Village will only maintain the portions of pipes within the public right-of-way, and per Section 5 of the ESSM, a manhole or junction box will be required at the transition from the public right-of-way boundary. In addition, please clarify the response to Comment #4 that "any discharge of the adjoining site that is conveyed to our stormwater management device will be allowed to pass un-detained." Full compliance with the ESSM stormwater requirements must be demonstrated during the construction document phase.

5. Response to previous Comment #6 states that the emergency services access mitigates the cul-de-sac length standard. Please clarify the source of this statement

6. Please add a note to the Typical Street Section on L-1 requesting the waiver to utilize 2-foot concrete valley gutter in lieu of the Village's standard of 24-inch curb and gutter.

Comments of Carlton Cole, Fire Chief

1. Please see comment #1 from Darryn Burich, Planning and Inspections Director.

Comments of Brian Patnode, Moore County Engineering

1. We have confirmed that water is not available on Olivia Ln.

2. Please fill out a water modeling application when ready.

3. Are you planning for MCPU to own and operate the sewer lift station?

4. There is a manhole and sewer line near the proposed entrance on Blake Blvd. Please show on plans and tie-in force main at this location.

5. Please note that our standard easement (10' on either side of the line) will apply and the proposed street trees would not be allowed to be planted within that easement.

Comments of Scott Thomas, Chief Building Official

No comments at this time.

Subdivision – Major and Minor

Fee: $1400 – Minor
Fee: $4500 – Major
(Revised 09/2019)

☑ Major Subdivision	☐ Minor Subdivision

Subdivision Information

Per Section 9.17.1.1 of the Pinehurst Development Ordinance (PDO), a Minor Subdivision is a subdivision that does not involve any of the following: (a) creation of more than three (3) lots from any one (1) tract of land (as the tract existed on October 23, 1995) whether such lots are created at one time or over a period of ten (10) years, thereafter; and (b) dedication or improvement of any new street other than widening approved existing streets. Minor subdivision applications are reviewed by the Village Planner and approved by the Village Manager. A Major Subdivision is any subdivision other than an Exempt Subdivision or Minor Subdivision. See Section 9.17.1.1 of the PDO for a description of an Exempt Subdivision. Major Subdivisions are approved by the Village Council.

This application must be completed in full and submitted with the associated fee listed in the Village's Fees and Charges Schedule, which can be accessed at www.vopnc.org/Home/ShowDocument?id=10100.

Intake Information

Property Address	
Street Address	Closest addressed parcel is 150 Blake Blvd & 300 Blake Blvd.`
City, State, Zip Code	Pinehurst, NC
Parcel ID #	00046287

Owner Information			
Name	Cottages at Legacy Lakes, LLC	Home Phone #	
Street Address	1015 Ashes Dr. Suite 202	Mobile Phone #	910-585-0618
City, State, Zip Code	Wilmington, NC 28405-8335	Business Phone #	
Email	marcel@goneauconstruction.com		

Licensed Professionals (License #s must include all letters and numbers as filed with the NC Licensing Board)	
	Surveyor (Required)
License #	3972
Name	Jeffery L. Green
Street Address	140 Aqua Shed Court
City, State, Zip	Aberdeen, NC 28315
Phone #	910-420-1437
Email	jeff@lkcengineering.com

VILLAGE OF PINEHURST

Subdivision – Major and Minor

Fee: $1400 – Minor
Fee: $4500 – Major
(Revised 09/2019)

Applicant			
Name	Cottages @Legacy Lakes, LLC	Other Phone #	
Email	marcel@goneauconstruction.com	Street Address	1015 Ashes Dr., Suite 202
Mobile Phone #	910-585-0618	City, State, Zip Code	Wilmington, NC 28405-8338

General Information

Project Description	Single Family Residential Subdivision in an R-5 Zoning District consisting of 37 lots.
Name of Subdivision	Pinehurst South Cottages

Existing Use	Proposed Use
☑ Vacant	☐ Vacant
☐ Single Family Low Density	☐ Single Family Low Density
☐ Single Family Medium Density	☑ Single Family Medium Density
☐ Single Family High Density	☐ Single Family High Density
☐ Multi-Family Development	☐ Multi-Family Development
☐ Office	☐ Office
☐ Retail	☐ Retail
☐ Lodging	☐ Lodging
☐ Recreational	☐ Recreational
☐ Institutional	☐ Institutional
☐ Medical	☐ Medical
☐ Industrial	☐ Industrial
☐ Services	☐ Services

Project Information

Total Acres of Project Area	14.4	Number of Acres Disturbed	13
Number of Acres of Dedicated Open Space	0	Square Footage of Smallest Lot	6,054
Number of Lots - Existing	2	Number of Lots - Proposed	38
Number of Residential Units - Existing	0	Number of Residential Units - Proposed	37
Number of Non- Residential Units - Existing	0	Number of Non- Residential Units - Proposed	1 (sewer pump station lot)
Impervious Surface % - Existing	0%	Impervious Surface % - Proposed	45%
Total Number of Phases	1		

Special Conditions (If Any)	None

Location Information

Zoning District	R-5 Residential
Overlay District	☐Historic Preservation Overlay District ☑N/A ☐Pinehurst South Overlay District
Watershed Protection Overlay District	☐WS-II ☐WS-III ☑N/A
Project Requires a Special Intensity Allocation	☐Yes ☑No
In a Flood Zone	☐Yes ☑No
Site Contains Wetlands	☐Yes ☑No
Red Cockaded Woodpecker on Site	☑Yes ☐No
Roads	☑Public ☐Private
Water Provider	Moore County Public Utilities
Sewer Provider	Moore County Public Utilities

Required Documents (See Appendix E of the PDO for Requirements)

☐General Concept Plan (If Conditional District Rezoning) ☑Preliminary Plat
☑Trip Generation Calculations

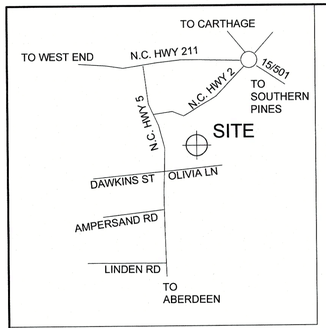
Other Agency Permits/Approvals (As Applicable) - Per Section 4.2.6 of PDO

☑Erosion Control Plan (State of North Carolina) ☐Septic Tank/Well Permit (Moore County)
☐Driveway Permit – State Roads (NCDOT) ☐Right of Way Encroachment
☐US Fish and Wildlife Approval ☑Other

Certification

I hereby certify that the information contained in this application is accurate and complete. I also confirm that I have read and understand the requirements that must be met for a Major Subdivision or Minor Subdivision approval.

Applicant Signature: _____ Date: 7/2/2020



BUILDABLE AREA PER LOT:

LOT 1: 2809sf	LOT 14: 2800sf	LOT 27: 3555sf
LOT 2: 2795sf	LOT 15: 2265sf	LOT 28: 3673sf
LOT 3: 2800sf	LOT 16: 2434sf	LOT 29: 3553sf
LOT 4: 2800sf	LOT 17: 2603sf	LOT 30: 2800sf
LOT 5: 2800sf	LOT 18: 2774sf	LOT 31: 3162sf
LOT 6: 3170sf	LOT 19: 3075sf	LOT32 : 2800sf
LOT 7: 3769sf	LOT 20: 7474sf	LOT33 : 2995sf
LOT 8: 5082sf	LOT 21: 3181sf	LOT34 : 5292sf
LOT 9: 4546sf	LOT 22: 3200sf	LOT 35: 3123sf
LOT 10: 3720sf	LOT 23: 3134sf	LOT 36: 3538sf
LOT 11: 2802sf	LOT 24: 2800sf	LOT 37: 5878sf
LOT 12: 2800sf	LOT 25: 2800sf	LOT 38: 12287sf
LOT 13: 2800sf	LOT 26: 3030sf	LOT 39: 166,400sf (UNDEVELOPED AREA)
		LOT 40: 36,011sf (UNDEVELOPED AREA)

PROPERTY DATA:

OWNERS:

TRACT 1: COTTAGES at LEGACY LAKES, LLC
1015 ASHES DRIVE, STE 202
WILMINGTON, NC, 28405-8335
PHONE #: 910-585-0618
EMAIL: MARCEL@GONEAUCONSTRUCTION.COM
PARCEL ID #: 2019001147
DEED BOOK: 17, PAGE: 989
ZONING: NC (NEIGHBORHOOD COMMERCIAL)
AREA: 1.33 ACRES (57,778sf)
EXISTING STRUCTURES: NONE
EXISTING IMPERVIOUS SURFACE: NONE
100 YR FLOODPLAIN: SITE IS NOT WITHIN 100 YR FLOODPLAIN, ZONE X
MAP #: 3710854000J & 3710856100J
RIVER BASIN: CAPE FEAR
SUB-BASIN: NONE
RCW FORAGING AREA: SOPI 105, INACTIVE FORAGING CLUSTER

TRACT 2: COTTAGES at LEGACY LAKES, LLC
1015 ASHES DRIVE, STE 202
WILMINGTON, NC, 28405-8335
PHONE #: 910-585-0618
EMAIL: MARCEL@GONEAUCONSTRUCTION.COM
PARCEL ID #: 2019001147
DEED BOOK: 17, PAGE: 989
ZONING: R-5 (SINGLE FAMILY RESIDENTIAL)
AREA: 13.07 ACRES (569,262sf)
EXISTING STRUCTURES: NONE
EXISTING IMPERVIOUS SURFACE: NONE
100 YR FLOODPLAIN: SITE IS NOT WITHIN 100 YR FLOODPLAIN, ZONE X
MAP #: 3710854000J & 3710856100J
RIVER BASIN: CAPE FEAR
SUB-BASIN: NONE
RCW FORAGING AREA: SOPI 108, ACTIVE FORAGING CLUSTER

PROJECT ENGINEER: LKC ENGINEERING,PLLC
140 AQUA SHED COURT
ABERDEEN, NC, 28315
PHONE #: 910-420-1437
LICENSE #: P-1095

PROJECT SURVEYOR: LKC ENGINEERING,PLLC
140 AQUA SHED COURT
ABERDEEN, NC, 28315
PHONE #: 910-420-1437
JEFFERY L. GREEN
LICENSE #: 3972

PROJECT DATA:

TOTAL NUMBER OF PROPOSED LOTS: 40
SMALLEST LOT: LOT 16 - 6,054sf
SETBACKS: FRONT- 20'
SIDE - 10'
SIDE STREET - 15'
REAR - 20'
TOTAL LINEAL FOOTAGE OF ROADS: 2,161 lf
TOTAL RIGHT-OF-WAY: 3.42 ac.
TOTAL AREA OF LOTS: 6.83 ac.
UNDEVELOPED H.O.A. PROPERTY: 4.15 ac.
TOTAL IMPERVIOUS SURFACE (%): 6.47 AC., 45% PER VILLAGE DEVELOPMENT ORDINANCE
OPEN SPACE REQUIRED: NONE
OPEN SPACE PROVIDED: NONE

NOTES:

1. BOUNDARY SURVEY BY LKC ENGINEERING, JEFFERY L. GREEN, PROFESSIONAL LAND SURVEYOR.
2. TOPOGRAPHIC AND ADJACENT PROPERTY INFORMATION TAKEN FROM MOORE COUNTY GIS DEPARTMENT DATA.
3. STREET NAME ARE YET TO BE DETERMINED, AND WILL BE COORDINATED THROUGH MOORE COUNTY AND 911 FOR DUPLICATION OF NAMES.

5 L-1 VICINITY MAP

NOT TO SCALE

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREIN, THAT THE PROPERTY IS WITHIN THE SUBDIVISION JURISDICTION OF THE VILLAGE OF PINEHURST AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT AND HEREBY ESTABLISH ALL LOTS AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACE TO PUBLIC USE AS NOTED.

_____

_____
OWNER(S)

MAJOR PRELIMINARY SUBDIVISION PLAT RECOMMENDED FOR APPROVAL

I HEREBY CERTIFY THAT THIS MAJOR PRELIMINARY SUBDIVISION WAS APPROVED BY THE PINEHURST VILLAGE COUNCIL ON THE_____ DAY OF _____, 20_____.

_____
VILLAGE MANAGER

CERTIFICATE OF SURVEY AND ACCURACY

I, JEFFERY L. GREEN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED REFERENCES AS SHOWN; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN REFERENCES AS SHOWN; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1;10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 7TH DAY OF AUGUST, A.D., 20 20 .

PROFESSIONAL LAND SURVEYOR

L-3972
LICENSE NUMBER

NORTH CAROLINA PROFESSIONAL SEAL L-3972 LAND SURVEYOR JEFFREY L. GREEN 8/7/2020

I, JEFFERY L. GREEN, PROFESSIONAL LAND SURVEYOR, L-3972, CERTIFY TO THE FOLLOWING IN G.S. 47-30(f)(11):

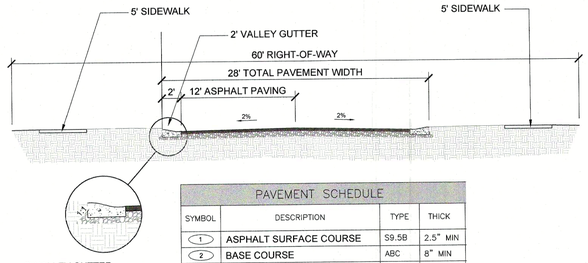
THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE JURISDICTIONAL AREA OF MOORE COUNTY, NORTH CAROLINA AND THAT THE COUNTY HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

PROFESSIONAL LAND SURVEYOR

8/7/2020
DATE

4 L-1 SIGNATURE BLOCKS

NOT TO SCALE

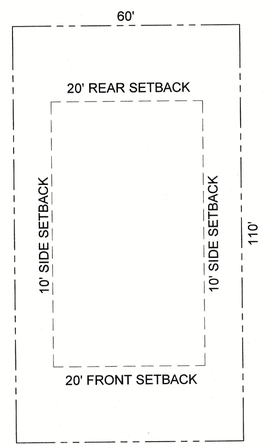


PAVEMENT SCHEDULE			
SYMBOL	DESCRIPTION	TYPE	THICK
1	ASPHALT SURFACE COURSE	S9.5B	2.5" MIN
2	BASE COURSE	ABC	8" MIN
3	COMPACTED SUBGRADE		

1. FINAL PAVEMENT PROFILE TO BE DETERMINED BY SOIL REPORT AND SHALL COMPLY, AT A MINIMUM, WITH THE VILLAGE FIRE LANE STANDARDS.
2. SIDEWALK TO ONLY BE ON ONE SIDE OF ROAD WHERE THERE IS NO RESIDENTIAL DEVELOPMENT.
3. ROADS TO BE PUBLIC.
4. ROAD WIDTH ON CUL-D-SACS SERVING LESS THAN 10 LOTS TO BE 24' WIDE BACK OF CURB TO BACK OF SURB WITH 10' WIDE TRAVEL LANES AND 2' VALLEY GUTTER.

3 L-1 TYPICAL STREET SECTION

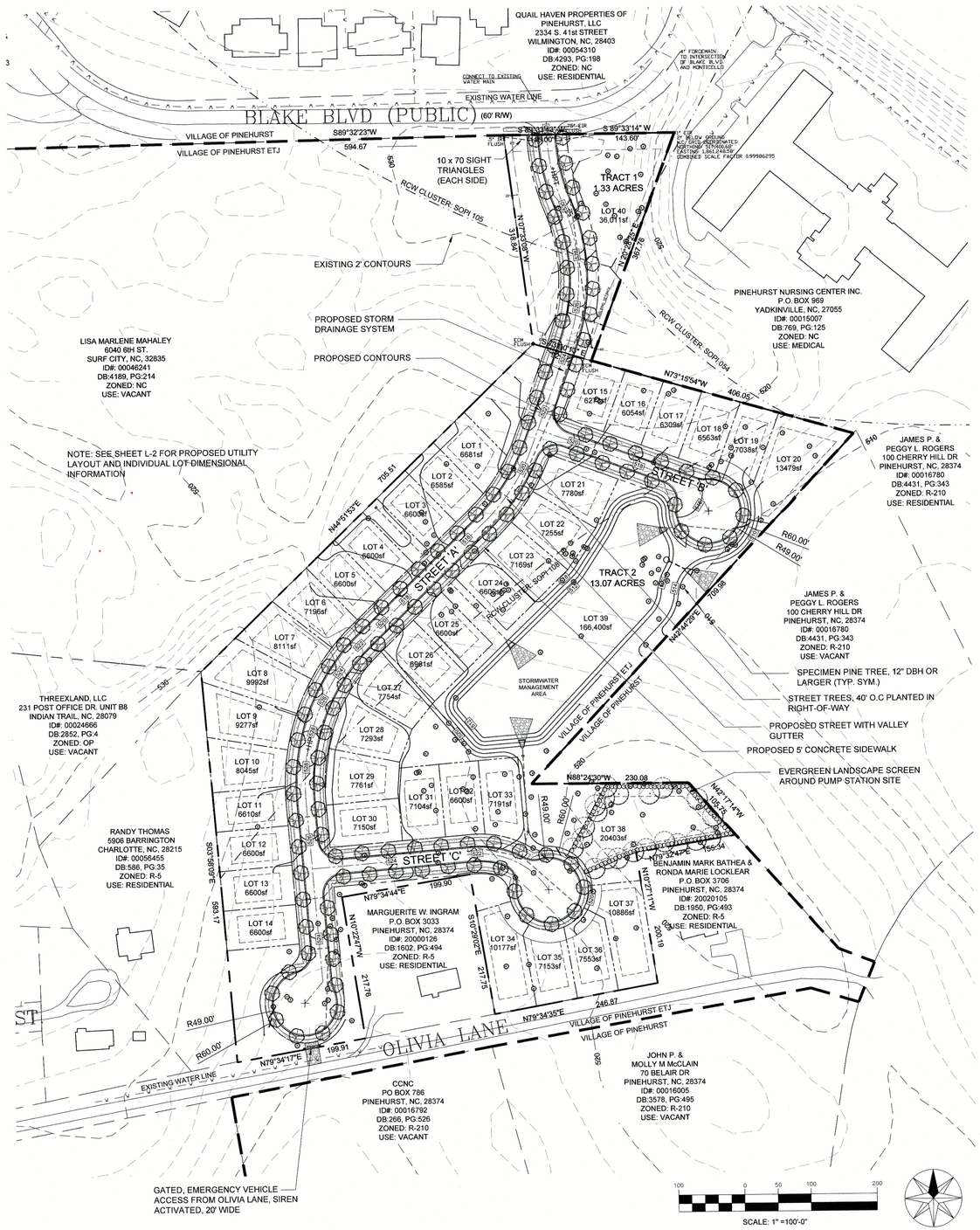
NOT TO SCALE



TYPICAL LOT SIZE: 6600sf
TYPICAL BUILDABLE AREA:2800sf

2 L-1 TYPICAL LOT SIZE

NOT TO SCALE



1 L-1 PRELIMINARY PLAT PLAN

SCALE: 1' = 100'-0"

REVISIONS			
SYM.	DESCRIPTION	DATE	BY

PRELIMINARY – DO NOT USE FOR CONSTRUCTION

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

LKC
Engineering
Landscape Architecture
Surveying

PRELIMINARY PLAT PLAN

PINEHURST SOUTH COTTAGES

Pinehurst, North Carolina

DATE: August 6, 2020
DESIGNED: WLS
DRAWN: WLS
CHECKED: TAC
NO.
L-1

REVISIONS			
SYM.	DESCRIPTION	DATE	BY

PRELIMINARY – DO NOT USE FOR CONSTRUCTION

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

Engineering
Landscape Architecture
Surveying

LKC

PRELIMINARY PLAT LAYOUT AND UTILITY PLAN

PINEHURST SOUTH COTTAGES

Pinehurst, North Carolina

DATE:	August 6, 2020
DESIGNED:	WLS
DRAWN:	WLS
CHECKED:	TAC
NO.	L-2

1 L-2 PRELIMINARY PLAT LAYOUT AND UTILITY PLAN

SCALE: 1' = 60'-0"

SCALE: 1" =60'-0"

NORTH

RAMEY KEMP ASSOCIATES
Moving forward.

T 919 872 5115
5808 Faringdon Place
Raleigh, NC 27609

July 2, 2020

Phillip Picerno, PE
LKC Engineering, PLLC
140 Aqua Shed Court
Aberdeen, NC 28315
E: Phillip@lkcengineering.com

Subject: Mahaley Land – Trip Generation Letter
Pinehurst, North Carolina

Dear Mr. Picenro,

This letter provides an estimate of the trip generation for the proposed residential development located east of NC 5 and north of Olivia Lane in Pinehurst, North Carolina. The proposed development is anticipated to consist of 37 single-family homes. Access to the proposed site will be provided via one (1) full movement site driveway along Blake Boulevard.

Trip Generation

Average weekday daily, AM, and PM peak hour trips for the proposed development were estimated using methodology contained within *the ITE Trip Generation Manual, 10th Edition* utilizing the most recent (July 1, 2018) North Carolina Department of Transportation (NCDOT) Congestion Management rates vs. equation spreadsheet. Refer to Table 1 for a summary of the trip generation summary.

TABLE 1
SITE TRIP GENERATION SUMMARY

LAND USE	SIZE	DAILY TRIPS (VPD)	PEAK HOUR TRIPS (VPH)			
			AM		PM	
			ENTER	EXIT	ENTER	EXIT
Single-Family Detached Housing (210)	37 D.U.	420	8	23	25	14

As shown in Table 1, based on ITE *Trip Generation Manual, 10th Edition*, it is estimated that the site is expected to generate approximately 420 trips during a typical 24-hour weekday period. Of the daily site trips, it is anticipated that 31 total trips (8 entering and 23 exiting) will occur during the AM peak hour and 39 total trips (25 entering and 14 exiting) will occur during the PM peak hour. It should be noted that the single-family homes will be targeted towards seniors, although not restricted.

Findings and Summary

The results of the trip generation summary show the 37 lots to be significantly below the NCDOT threshold for requiring a Traffic Impact Analysis (TIA). The trip generation summary also shows that the proposed development would have no significant impacts to the existing roadway network due to the low volume of expected site traffic.

If you should have any questions, please feel free to contact me at (919) 872-5115.

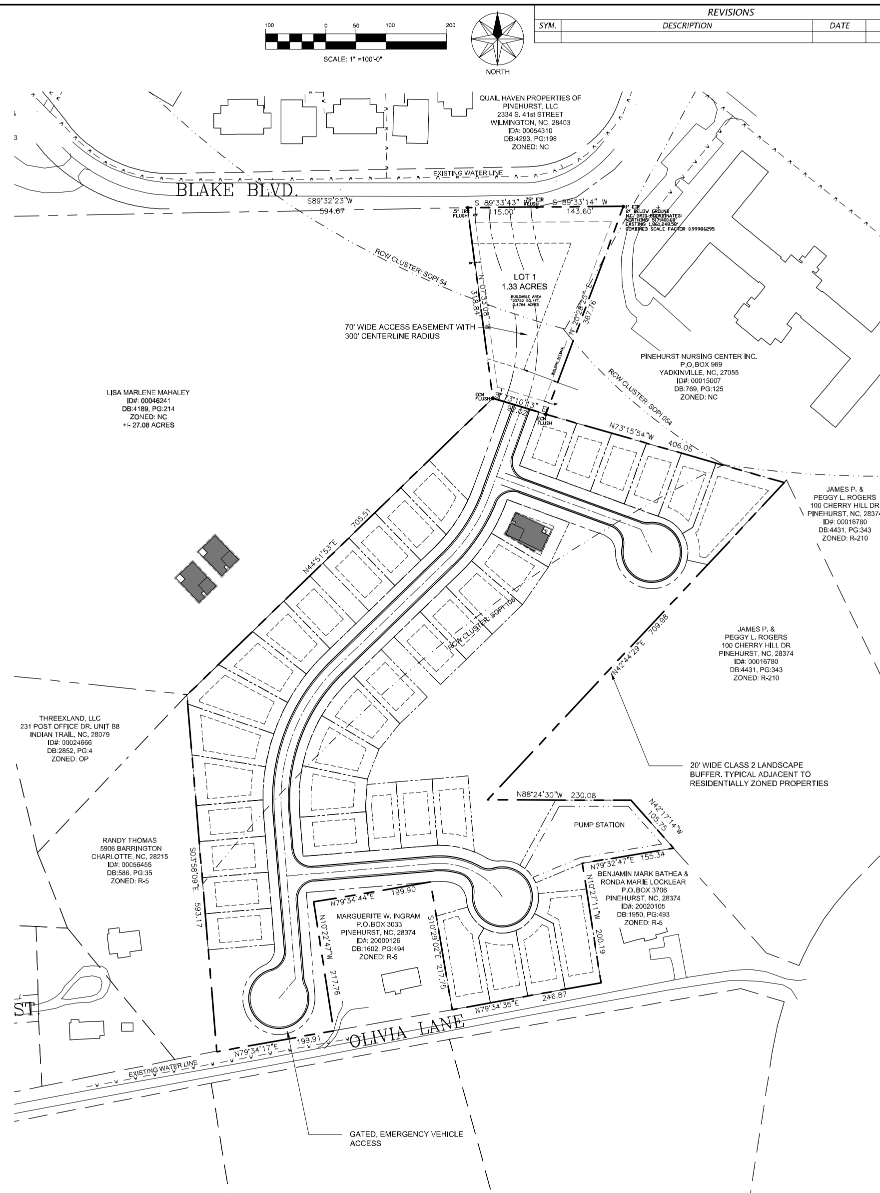
Sincerely,

Joshua Reinke, P.E.
State Traffic Engineering Lead
Ramey Kemp Associates

NC Corporate License # C-0910

Attachments

- Preliminary Site Plan



REVISIONS			
SYM.	DESCRIPTION	DATE	BY

PRELIMINARY – DO NOT USE FOR CONSTRUCTION

LKC

Engineering
Landscape Architecture
Surveying

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

Pinehurst, North Carolina

DATE: August 15, 2019
DESIGNED:
DRAWN:
CHECKED:
NO.

RED-COCKADED WOODPECKER AND MICHAUX'S SUMAC SURVEY REPORT FOR A RESIDENTIAL COMMUNITY PROJECT, PINEHURST, MOORE COUNTY, NORTH CAROLINA

Prepared By:
Ms. Jeanette M. Sabo and Dr. J.H. Carter III
Dr. J.H. Carter III & Associates, Inc.
Environmental Consultants
515 F Midland Road
Southern Pines, North Carolina 28387

Submitted 20 August 2019
To:

Legacy Lakes Cottages, LLC
P.O. Box 4839
Pinehurst, NC 28374

RED-COCKADED WOODPECKER AND MICHAUX'S SUMAC SURVEY REPORT FOR A RESIDENTIAL COMMUNITY PROJECT, PINEHURST, MOORE COUNTY, NORTH CAROLINA

1. INTRODUCTION

Legacy Lakes Cottages, LLC, plans to develop approximately ±41.68 acres (ac.) for a single-family residential community on North Carolina (NC) Highway (Hwy.) 5 in Pinehurst, Moore County, North Carolina (NC). The proposed project will minimally impact foraging habitat associated with one active cluster (SOPI 108) and 2 abandoned clusters (SOPI 69-113 and 54) of the federally Endangered red-cockaded woodpecker (*Dryobates borealis = Picoides borealis*) (RCW). This assessment evaluates the impacts of this project on the RCW pursuant to Section 9 of the Endangered Species Act (ESA), as amended.

2. PROJECT AREA

The project is located in the Greater Sandhills of south-central NC (Figure 1), an area characterized by pine-forested, gently rolling topography and sandy soils. Elevations in the immediate project area range from 400-500 feet (ft.) above mean sea level. Upland soils are well drained and consist predominately of Candor sand and Ailey and Vaucluse loamy sands (United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) 2019). The most widespread wetland soil is Bibb loam. The project area is located in the Lumber River Basin. Major hydrological features include Lake Pinehurst, Watson Lake, Horse Creek, Aberdeen Creek and unnamed tributaries thereof.

Historically, upland vegetative communities in the project area were predominately Xeric Sandhill Scrub, Pine-Scrub Oak Sandhill and Mesic Pine Savanna. The most widespread palustrine communities were Streamhead Pocosin and Coastal Plain Small Stream Swamp.

The Xeric Sandhill Scrub community had a longleaf pine (*Pinus palustris*) overstory, turkey oak (*Quercus laevis*) understory and a Carolina wiregrass (*Aristida stricta*) ground cover. It occurred on very dry sandy sites such as ridges. The Pine-Scrub Oak Sandhill community had

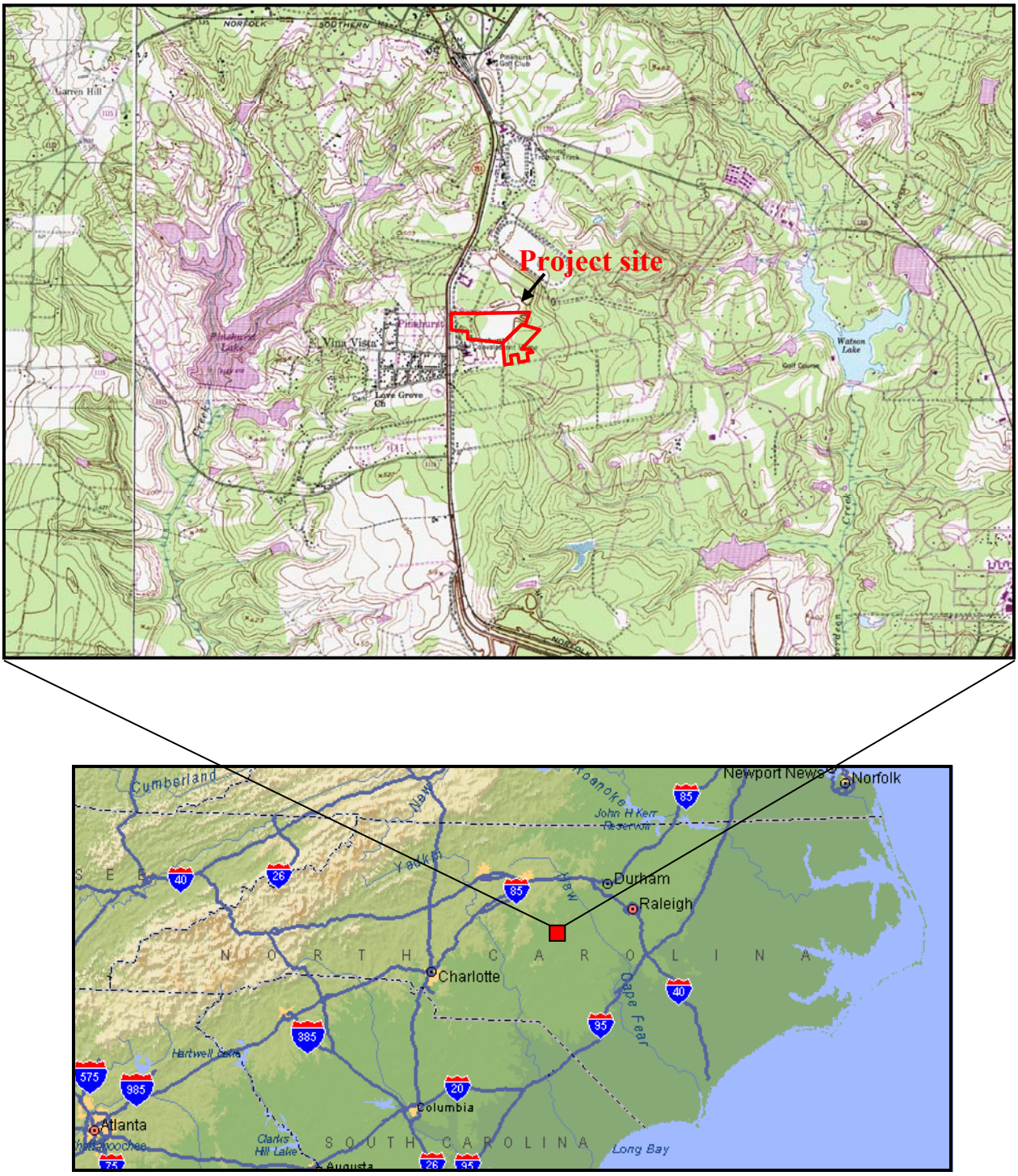


Figure 1. Location of the proposed single-family residential community project in Pinehurst, Moore County, North Carolina.

a longleaf pine overstory, mixed scrub oak (*Quercus* spp.) or xeric hardwood understory and an often diverse ground cover dominated by Carolina wiregrass.

Mesic Pine Savanna on frequently burned, undisturbed sites typically had a canopy of longleaf pine and an open or sparse midstory of mesic hardwoods, especially sweetgum (*Liquidambar styraciflua*). The ground cover was dominated by Carolina wiregrass and a very diverse assemblage of herbaceous plants. In unburned or rarely burned sites, the midstory was sparse to dense and the ground cover was sparser and less diverse, sometimes dominated by bracken fern (*Pteridium latiusculum*).

Streamhead Pocosins occurred in small drainages, on poorly drained flats and along some of the larger streams. Dense thickets of shrubs and vines characterized this habitat, along with an overstory of pond pine (*P. serotina*), sometimes mixed with loblolly pine (*P. taeda*), tulip poplar (*Liriodendron tulipifera*), swamp blackgum (*Nyssa biflora*) and red maple (*Acer rubrum*). Typical understory vegetation consisted of red bay (*Persea palustris*), fetterbush (*Lyonia lucida*), sweet gallberry (*Ilex coriacea*), inkberry (*I. glabra*), titi (*Cyrilla racemiflora*), sweet pepperbush (*Clethra alnifolia*), switch cane (*Arundinaria tecta*) and laurel-leaved greenbrier (*Smilax laurifolia*). Cinnamon fern (*Osmundastrum cinnamomeum*) was common in the sparse herb layer. Small stands of Atlantic white cedar (*Chamaecyparis thyoides*) sometimes occurred in these communities.

Coastal Plain Small Stream Swamp communities were found along small to medium-sized streams and were predominately forested with swamp blackgum, red maple, tulip poplar and pond pine. Midstory species included red maple, sweetbay magnolia (*Magnolia virginiana*) and titi and understory species include coastal fetterbush (*Leucothoe axillaris*), Virginia sweetspire (*Itea virginica*) and yellowroot (*Xanthorhiza simplicissima*). The ground cover included cinnamon fern and netted chain-fern (*Lorinseria areolata*).

The Sandhills area contains the second largest metapopulation of RCWs and is a designated Primary Core Recovery Population (US Fish and Wildlife Service (USFWS) 2003). This metapopulation includes RCWs on the Fort Bragg Military Reservation (FB), Camp Mackall (CM), Sandhills Game Land (SGL), Calloway Tract, McCain Tract, Carver's Creek State Park, Weymouth Woods Sandhills Nature Preserve and on private lands around Southern Pines and Pinehurst (SOPI). In 2005, the Sandhills East Primary Core Population, which includes FB, reached its population goal of 350 potential breeding groups (pbgs) (USFWS 2006)

and the Sandhills West Essential Support Population, which includes the SGL and CM, reached its population goal of 100 pbgs in 2002 (NC Sandhills Conservation Partnership, unpublished data).

3. PROJECT SITE

The proposed single-family residential community project is located east of NC Hwy. 5, north of Olivia Lane and south of Blake Boulevard in southern Moore County, NC (Figure 2).

The project site consists of 2 parcels (LRK #s 46287 and 46241) totaling ±41.68 ac. The site is bordered to the east by the Pinehurst Healthcare and Rehab Center and the Country Club of North Carolina, the US Postal Service and NC Department of Motor Vehicles Rehabilitation Service to the north and forested private lands to the south (Figure 2). It is bordered to the west by NC Hwy. 5, Flooring Gallery and Interiors, residential homes and other private lands.

4. PROJECT DESCRIPTION

The conceptual design for the proposed single-family residential community project consists of 145 small homesites with driveways, a clubhouse, swimming pool, 2 pickleball courts, a shuffleboard court, a bocce ball court, a pump station, a stormwater detention area and associated access roads on a total of ±41.68 ac. (Figure 3).

5. METHODS

A variety of resources were utilized in preparation for field surveys, including aerial photographs, topographic maps, the NC Natural Heritage Program database (NCNHP 2019) and the Soil Survey of Moore County, North Carolina (USDA NRCS 2019). Natural communities were classified according to Schafale (2018) and plant nomenclature follows Weakley (2018).

5.1. RCW Survey

JCA biologists conducted ground surveys for RCW cavity trees within the project site and within a 0.5-mi. radius of the project site in August 2019. The activity status of all known RCW cavity trees within active SOPI Cluster 108, inactive clusters SOPI 69-113 and abandoned

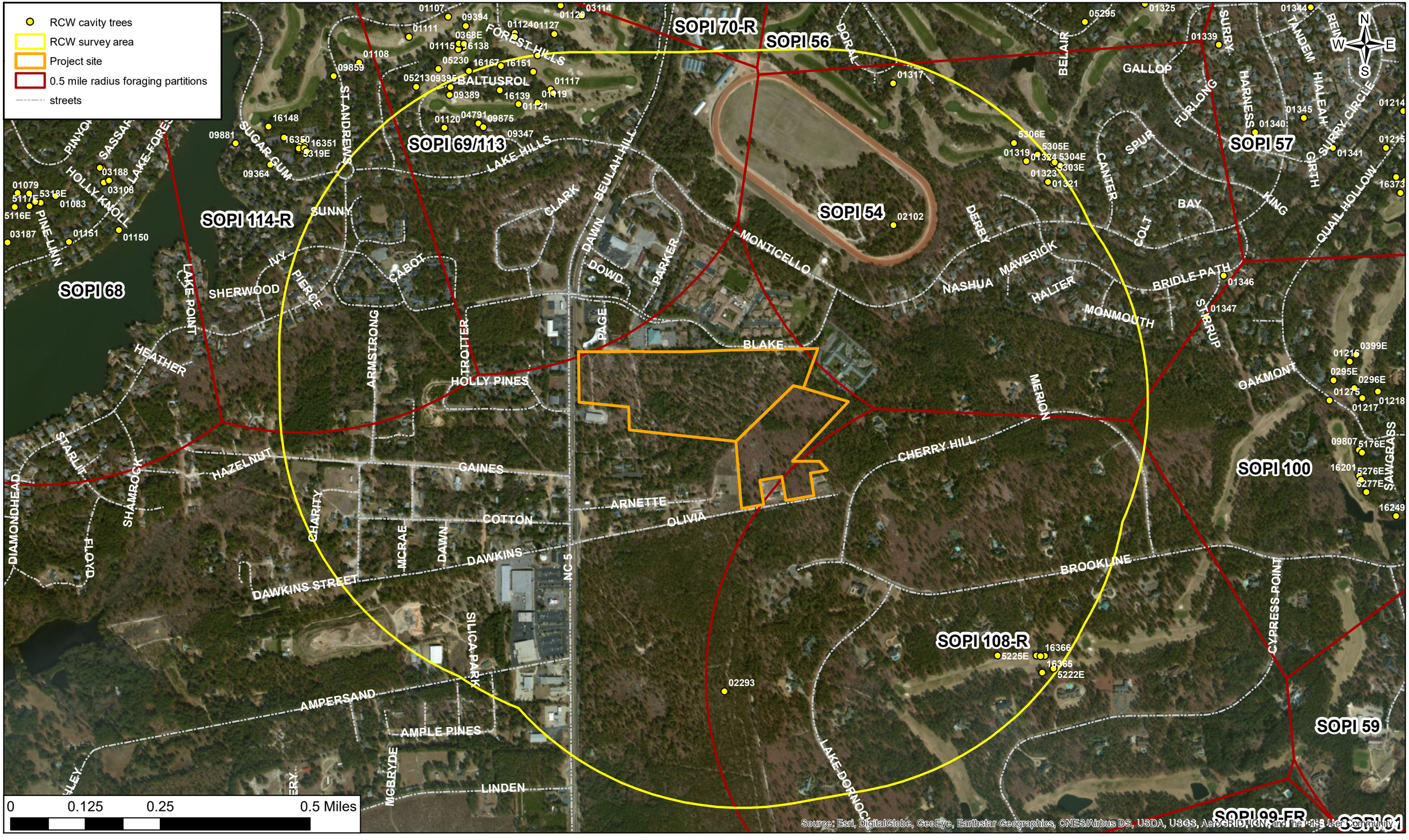
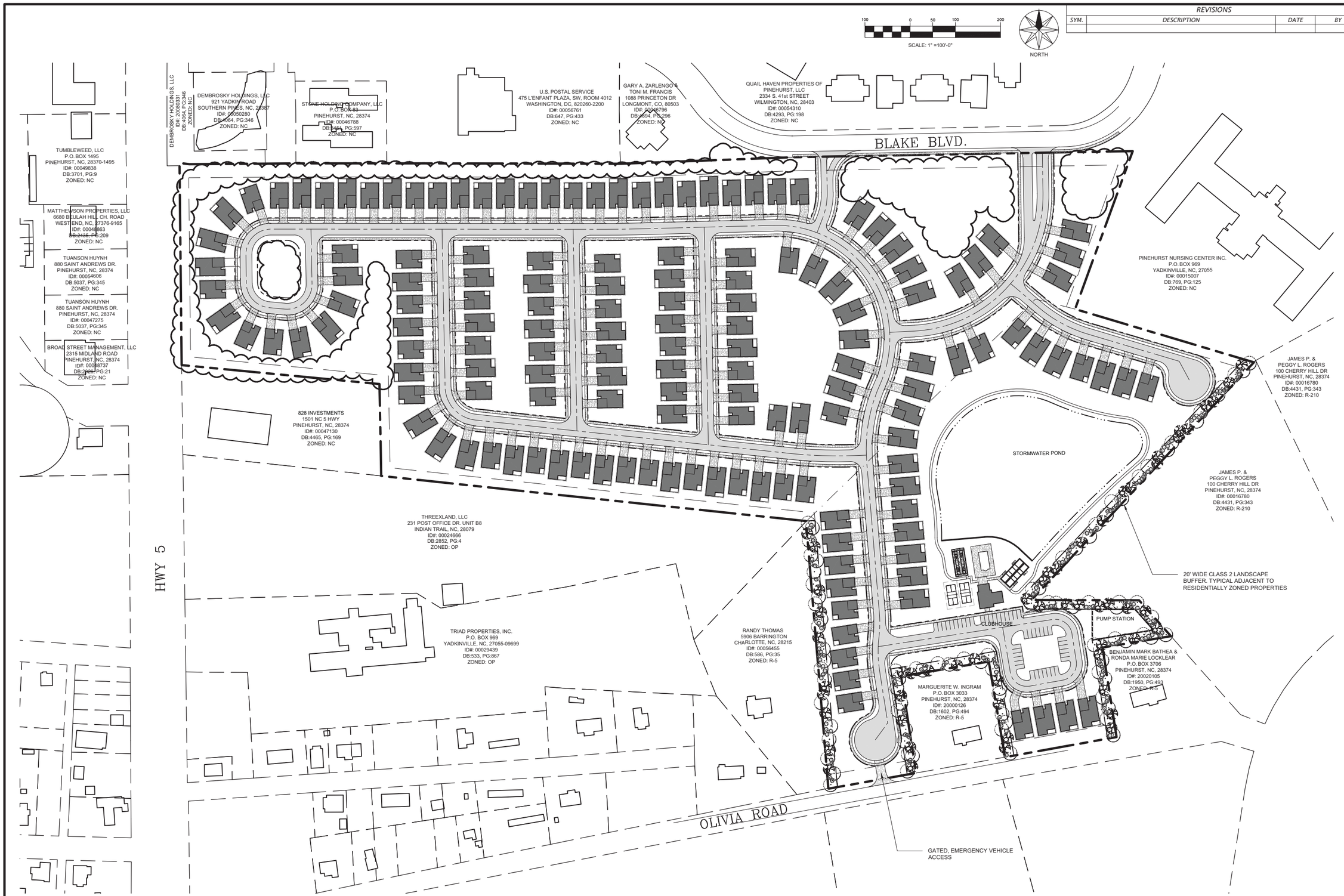


Figure 2. Location of red-cockaded woodpecker (*Dryobates borealis*) clusters and foraging habitat partitions impacted by the proposed single-family residential community project in Pinehurst, Moore County, North Carolina.



1 / L -1 CONCEPTUAL SITE PLAN
SCALE: 1" = 100'-0"

Figure 3. Site plan for the proposed single-family residential community project in Pinehurst, Moore County, North Carolina.

REVISIONS

SYM.	DESCRIPTION	DATE	BY

PRELIMINARY – DO NOT USE FOR CONSTRUCTION

LKC Engineering, pllc
140 Aqua Shed Court
Aberdeen, NC 28315
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lkcengineering.com
License No. P-1095

LKC
Engineering
Landscape Architecture
Surveying

Conceptual Site Plan

Retirement Living Community
Pinehurst, North Carolina

DATE: July 3, 2019
DESIGNED:
DRAWN:
CHECKED:
NO.

SOPI 54 (JCA and Sandhills Ecological Institute (SEI) unpublished data) were updated in April 2019.

Potential RCW nesting habitat was defined as pine or pine-hardwood stands >60 years of age (USFWS 2003). Commercial and residential areas were checked by vehicle and large forested tracts with potentially suitable habitat were surveyed on foot using parallel transects. Habitats not suitable for RCWs were ground checked in order to obtain accurate descriptions and classifications of natural communities and habitat conditions.

If new RCW cavity trees were found, they were flagged and their locations were documented using a Trimble® GeoXT 2008 GPS unit and plotted on an aerial photograph.

5.2. Michaux's Sumac Survey

Surveys for Michaux's sumac were conducted in August 2019 on the project site during the optimal survey window for the species. Surveys utilized foot transects depending on habitat. Surveys focused on periodically disturbed habitats, including roadsides, field margins, powerline ROWs and open woodlands.

6. RESULTS

6.1. Red-cockaded Woodpecker

Dryobates borealis
Family: Picidae
Federal Status: Endangered
Date Listed (Endangered): October 13, 1968

The RCW is a small black and white woodpecker with horizontal bars on its back, spotted flanks and a white belly. The cap and chin stripe are black and the male has a small, difficult to see, red spot on each side of the black cap. It is most easily identified by the large white cheek patches that distinguish it from similar species (USFWS 2003).

The RCW is endemic to mature, fire-maintained pine forests in the southeastern United States, where it was historically common. Prime nesting habitat for RCWs includes open, mature southern pine forests dominated by longleaf, loblolly, pond, slash (*Pinus elliotti*) or other southern pine species greater than 60 years of age with little or no mid- or understory. Pine flatwoods and pine-dominated savannas, which have been maintained by frequent fires, serve as ideal nesting and foraging habitat for RCWs. Potential foraging habitat is defined as open pine

or pine/ hardwood stands 30 years of age or older (USFWS 2003). Logging, fire exclusion and conversion of forestlands for agricultural and other uses have destroyed most of this species' habitat (USFWS 2003).

6.1.1. RCW Survey

The southeastern portion of the RCW project site (LRK #46287) consisted of a sparse, second-growth overstory of longleaf and loblolly pines and a dense midstory of 15-25 ft. tall turkey oak. Approximately 1.88 ac. occur within the 0.5-mile radius foraging partition for active SOPI Cluster 108. Forested habitat within the partition was considered future potential habitat due to the sparse number of pines ≥10 inches in dbh. A foraging habitat analysis was not required for active SOPI Cluster 108 due to the classification of foraging habitat as future potential (Susan Miller, USFWS, personal communication, 31 July 2019).

The northern and western portions of the project site consisted of dense, second-growth loblolly and longleaf pine with a dense midstory of 15-25 ft. tall mockernut hickory (*Carya tomentosa*), blackjack oak, sand live oak and loblolly pine regeneration. Approximately 0.15 ac. of potentially suitable, pine-forested habitat occurs within the 0.5-mile radius foraging partition for abandoned SOPI Cluster 54. Approximately 0.03 ac. of potentially suitable, pine-forested habitat and 0.03 ac. of non-foraging habitat (powerline right-of-way) occurs within the 0.5-mile radius foraging partition for inactive SOPI Cluster 69-113.

The middle of the project site consisted of a dense pine-hardwood canopy, a dense midstory of loblolly pine regeneration, red maple, sacred-bamboo (*Nandina domestica*) and a moderately dense ground cover of muscadine grape (*Muscadinia rotundifolia*) and Carolina jessamine (*Gelsemium sempervirens*). No RCW cavity trees were found on the project site and no new RCW cavity trees were found in the RCW survey area.

6.1.2. RCW Clusters Impacted

Active SOPI Cluster 108 contained 6 trees with cavities in various stages of completion and suitability (Table 1). Three cavities are currently active. The cluster has been active since 2015 and the group fledged 2 nestlings in 2019 (JCA unpublished data).

Table 1. Location and status of red-cockaded woodpecker (*Dryobates borealis*) cavity trees in SOPI Clusters 54, 69-113 and 108, Pinehurst, Moore County, North Carolina, 2019.

Cluster	Tree Number	Activity	Status	Stage	Easting	Northing
SOPI 54	1319	Relic	Entrance enlarged	Cavity	640401	3893577
SOPI 54	1321	Relic	Healed over	Cavity	640460	3893522
SOPI 54	1323	Relic	Healed over	Cavity	640473	3893571
SOPI 54	1324	Relic	Enlarged	Cavity	640492	3893567
SOPI 54	2102	Relic	Enlarged	Cavity	640047	3893398
SOPI 54	5303E	Inactive	Healing over	Drilled cavity	640473	3893572
SOPI 54	5304E	Inactive	Normal	Insert	640477	3893575
SOPI 54	5305E	Inactive	Normal	Insert	640431	3893595
SOPI 54	5306E	Inactive	Normal	Insert	640367	3893625
SOPI 69-113	1107	Relic	Enlarged	Cavity	638840	3893934
SOPI 69-113	1111	Relic	Healed over	Advanced start	638736	3893877
SOPI 69-113	1112	Relic	Enlarged	Cavity	638880	3893860
SOPI 69-113	1113	Relic	Enlarged	Cavity	638882	3893852
SOPI 69-113	1114	Relic	Enlarged	Cavity	638871	3893848
SOPI 69-113	1115	Relic	Enlarged	Cavity	638869	3893847
SOPI 69-113	1120	Relic	Enlarged	Cavity	638836	3893635
SOPI 69-113	4791	Relic	Enlarged	Cavity	638927	3893649
SOPI 69-113	5213	Relic	Enlarged	Cavity	638758	3893744
SOPI 69-113	5230	Inactive	Normal	Cavity	638817	3893793
SOPI 69-113	9347	Relic	Normal	Cavity	638995	3893599
SOPI 69-113	9389	Inactive	Normal	Start	638848	3893724
SOPI 69-113	9394	Relic	Healed over	Advanced start	638888	3893910
SOPI 69-113	9395	Inactive	Normal	Cavity	638850	3893745
SOPI 69-113	9875	Inactive	Normal	Start	638941	3893639
SOPI 69-113	16138	Relic	Healed over	Start	638870	3893862
SOPI 69-113	16167	Inactive	Normal	Start	638899	3893789
SOPI 69-113	1116	Relic	Healed over	Cavity	639072	3893790
SOPI 69-113	1117	Relic	Enlarged	Cavity	639119	3893744
SOPI 69-113	1118	Inactive	Enlarged	Cavity	639127	3893734
SOPI 69-113	1119	Relic	Healed over	Start	639085	3893708
SOPI 69-113	1121	Relic	Healed over	Advanced start	639034	3893703
SOPI 69-113	1124	Relic	Enlarged	Cavity	639020	3893894
SOPI 69-113	1126	Relic	Healed over	Cavity	639020	3893883
SOPI 69-113	1127	Relic	Enlarged	Cavity	639126	3893893
SOPI 69-113	1129	Relic	Enlarged	Cavity	639142	3893970
SOPI 69-113	1130	Relic	Normal	Cavity	639144	3893997
SOPI 69-113	3114	Relic	Enlarged	Cavity	639199	3893944
SOPI 69-113	16139	Inactive	Normal	Start	638983	3893739
SOPI 69-113	16151	Relic	Enlarged	Advanced start	638985	3893804
SOPI 69-113	368E	Inactive	Normal	Drilled cavity	638884	3893862
SOPI 108	5222E	Active	Normal	Insert	640501	3892215
SOPI 108	5223E	Active	Normal	Insert	640477	3892249
SOPI 108	5224E	Active	Normal	Insert	640455	3892249
SOPI 108	5225E	Relic	Healing over	Insert	640350	3892247
SOPI 108	16365	Relic	Atypical	Cavity	640471	3892204
SOPI 108	16366	Relic	Healing over	Substart	640466	3892248

Safe Harbor Recruitment Cluster SOPI 54 contained 9 trees with cavities in various stages of completion and suitability and has been abandoned for over 40 years (Table 1). No new RCW cavity trees were found. SOPI 69-113 contained 18 cavities in various stages of completion and suitability and has been inactive since 2017. No new RCW cavity trees were found.

6.2. Michaux's sumac
Rhus michauxii
Family: Anacardiaceae
Federal Status: Endangered
Date Listed: September 28, 1989

Michaux's sumac is a rhizomatous, densely hairy shrub with erect stems 1 to 3 ft. in height. The compound leaves contain evenly serrated, oblong to lanceolate, acuminate leaflets. The flowers are small, greenish-yellow to white, 4-5 parted and are borne in a terminal, erect, dense cluster. Flowering usually occurs from June to July and the fruit is a dull red drupe that ripens from August through October. Most plants are dioecious, however, recent observations have revealed plants with both male and female flowers. Male flowers and fruits are solitary and female flowers and fruits are grouped in 3 to 5 stalked clusters (USFWS 1993).
Michaux's sumac is endemic to the Inner Coastal Plain and lower Piedmont of Georgia, the Carolinas and Virginia.

In general, this species occurs in sandy or rocky open woods, sometimes in association with circumneutral soils, and is dependent upon some form of disturbance to maintain the open quality of its habitat. Historically, periodic fires provided that disturbance. Currently, Michaux's sumac survives in areas that are artificially disturbed, such as highway and railroad ROWs, edges of cultivated fields and other cleared areas (USFWS 1993), in addition to regularly burned longleaf pine woodlands.

In the Sandhills region, naturally occurring populations of Michaux's sumac are restricted to slightly loamy, but still well-drained sites which are scattered throughout pine-scrub oak-wiregrass woodlands. Loamy soils are usually found in slight depressions, swales or along lower slopes with a high diversity of herbs, especially legumes, composites and grasses (USFWS 1993). This species is shade intolerant and declines in vigor when its habitat is fire suppressed and a dense mid- or overstory develops (USFWS 1993b).

6.2.1. Survey Results

All suitable and potentially suitable habitats within the project site were intensively surveyed with negative results. Suitable habitat for Michaux's sumac was scattered on uplands throughout the project site. The closest known extant record of Michaux's sumac is 5.7 mi. east of the project site on Weymouth Woods Sandhills Nature Preserve (NCNHP 2019).

7.0 CONCLUSIONS

No RCW cavity trees occur on the proposed single-family residential community project site and no suitable or potentially suitable RCW foraging habitat within SOPI Cluster 108 will be impacted by the project. The impacts to the 0.50-mi. radius foraging partitions for clusters SOPI 54 and 69/113 are negligible due to the minimal amount of pine habitat that will be removed and their activity status as abandoned and inactive, respectively. This project will have **no effect** on the RCW.

There will be no impacts to the federally Endangered Michaux's sumac.

Biological Conclusion **No Effect**

8.0 LITERATURE CITED

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United States Department of Agriculture, Natural Resources Conservation Service. 2019. USDA website (http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx). Accessed 12 August 2019.

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Weakley, Alan S. 2018. Flora of North Carolina (subset of Flora of the South): Working Draft of 4 October 2018. UNC-Chapel Hill, Chapel Hill, NC. 1069 pp.

2021 MEETING SCHEDULE
ADDITIONAL AGENDA DETAILS:

FROM:
Beth Dunn

CC:
Darryn Burich

DATE OF MEMO:
9/28/2020

MEMO DETAILS:
Attached is the proposed 2021 Planning and Zoning Board meeting scheduled for your consideration.

ATTACHMENTS:

	Description
🗋	2021 Meeting Schedule

2021 PLANNING AND ZONING BOARD SCHEDULE

BOARD/COMMITTEE	FREQUENCY	LOCATION	TIME	DATES	
PLANNING AND ZONING BOARD	1st Thursday	Assembly Hall	4:00 PM	1/7/21 2/4/21 3/4/21 4/8/21* 5/6/21 6/3/21	7/1/21 8/5/21 9/2/21 10/7/21 11/4/21 12/2/21