



Application for
Amendment to Zoning Map
(revised 3/14/17)

Applicant

Name: MARY SUTHERLAND GWINN Telephone: 910-215-8182
Address: PO BOX 2338, PINEHURST NC Email: MOLLYGWINN@PMBARRQUHL.COM
Signature: Mary Sutherland Gwin Date: July 3, 2017

Note: If more than one applicant, please provide a separate document listing all applicant information and their signatures.

Parcel ID #: 0018777 PIN 856209068759
(attach separate list if necessary) OLD TOWN LOT 1801, TRACT 2
Present zoning classification: RMF
Requested zoning classification: R-10
Current Land Use: VACANT LOT
Number of parcels: 1 Approximate size of area: .399 ACRES
Physical location of area: 1801 PALMETTO DRIVE, PINEHURST, NC
Are public utilities available?: Yes
Reason for map amendment: TO PERMIT ONLY A SINGLE FAMILY DWELLING ON THIS PARCEL.

Note to Applicant By signing and submitting this application you are hereby certifying that this application and submittal, including all additional items, to be complete and accurate.



PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT

To: Planning and Zoning Board
From: Bruce Gould, Principal Planner
Date: July 27, 2017
Subject: Staff Report for Proposed Rezoning at 175 Palmetto Rd.

Applicant:	Mary Sutherland Gwinn
Owners:	Mary Sutherland Gwinn
Property Location:	175 Palmetto Rd.
Rezoning:	Current Zoning Districts: R-MF (Residential Multi-Family) District is established as a district in which the principal use of land is for multi-family and/or single-family dwellings. 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. Proposed Zoning District: R-10 (Residential High Density) 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.
Current Land Use:	Vacant
Proposed Land Use:	Single family residential.

The applicant requests a rezoning of +/- .399 acres currently zoned R-MF (Residential Multi-Family) to R-10 (Residential High Density) in order to allow only for residential single family.



Existing Zoning Map

The property is defined as being Moore County PID # 00018777. The applicant and property owner is Mary Sutherland Gwinn.

Analysis:

This property is currently located within the Corporate limits of Pinehurst and within the Local Historic District.

The surrounding properties contain both single family and multi-family residential zoning designations. (see the zoning map above)

The properties to the east and west, across Palmetto Rd. are zoned R-MF.

The properties to the north and south are zoned R-10 and are currently single family residences.

The property meets the dimensional requirements for minimum lot size and widths for the R-10 district.

This site contains no floodplains, wetlands or other environmental constraints that are known.

The site is located within a Watershed Protection Area (Nicks Creek—Cape Fear River WS-III, Balance of Watershed). Under section 8.3.3.3(b) single family residential uses are not subject to the watershed restrictions on pre-existing lots prior to June 21, 1993. This lot was created prior to that effective date.

Public water and sewer is available.

Recommendation:

The Planning Staff recommends approval of the rezoning request to R-10 (Residential High Density) as submitted.

Based on the surrounding zoning and environment the proposed use would be consistent with the existing adjacent uses and zoning.

The proposed use will meet all the requirements of the R-10 Zoning and the PDO. This staff recommendation is based on the submitted exhibits attached.

Comprehensive Plan Consistency Statement:

Page 59 of the 2010 Comprehensive Long Range Plan indicates a major strategy of the community should be to consider ways to meet the long-term housing needs of the residents of Pinehurst and their families. It states that the development pattern of Pinehurst did not anticipate some of the changing desires and needs of a residential community (larger homes, larger lots, housing for an aging population, as well as housing for younger persons and families.). It also states that residential neighborhoods are backbone of the community and encouraging the preservation and enhancement of these areas is a continuing strategy of the Village.



**Planning and Zoning Board
July 6, 2017
Council Conference Room
395 Magnolia Road
Pinehurst, North Carolina
4:00 pm**

MINUTES

Board Members in Attendance:

Leo Santowasso, Chair
Cyndie Burnett, Board Member
Kevin Drum, Board Member
Fred Engelfried, Board Member
Carol Henry, Board Member
Mike Marsh, Board Member

Board Member Absent:

Jeff Haarlow, Board Member
David Kelley, Vice Chair
Myles Larsen, Board Member

Staff in Attendance:

Bruce Gould, Principal Planner
Alex Cameron, Planner
Gwendy Hutchinson, Planning and Administrative Assistant

I. Call to Order

Chairman Santowasso called the meeting to order.

II. Approval of Minutes

A. May 4, 2017

Fred Engelfried made the motion to approve the May 4, 2017 Minutes; Mike Marsh seconded the motion, which was unanimously approved.

B. May 11, 2017

Fred Engelfried made the motion to approve the May 11, 2017 Minutes as amended to indicate Leo Santowasso as Vice Chair and going forward to just use the wording Chair or Vice Chair; Kevin Drum seconded the motion, which was unanimously approved.

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: Competent, Courteous, Professional, and Responsive.

Leo Santowasso, Chair recessed the regular meeting and opened the Public Hearing.

III. Public Hearing

The purpose of the public hearing is to consider an Official Zoning Map Amendment. This map amendment would rezone two parcels of land consisting of approximately 28 acres. These properties are located between 224 Foxfire Road and 376 Foxfire Road. These properties are further defined as being Moore County LRK #'s 00020369 and 00020354. The properties are currently zoned R-210 Residential District (low density residential). This proposed map amendment would change the zoning of the properties to R-30-CD (R-30- Conditional District Medium Density Residential). The properties are currently vacant. The proposed use of the property is a 28 lot single family subdivision. The applicant is Ken Bass and the owners of the properties are David P. Hunt, Robert F. Hunt and Claudia L. McKenzie.

Bruce Gould, Principal Planner read portions of the staff report into the record.

Ken Bass, Applicant and Tucker McKenzie, PE Project Manager for Withers Ravenel were present to answer any questions or address any concerns of the Board. Tucker McKenzie stated that they were requesting the rezoning of two parcels to allow the development of up to 28 single family residential units.

Both Ken Bass and Tucker McKenzie addressed the Board and informed them that a neighborhood meeting of property owners had been held on May 16, 2017 from 5:00 pm – 7:00 pm and four people signed in as to attending; Dianna Lucas, Paquita McCreery, Brenda Luck and Skip Lovette. There were concerns expressed regarding water supply, having less water supply and the density of the property. Ken Bass and Tucker McKenzie responded to each of the concerns at the meeting. (copies are available through the Planning Department.)

Leo Santowasso, Chair stated that according to the tax records there were 11 adjoining/ or nearby property owners and only four attended according to the sign-up sheet.

Leo Santowasso, Chair asked if anyone in the audience would like to speak.

Public Comments:

George Lucas stated that his property abuts Foxfire Road and Linden Road and that he has a horse and an alpaca farm. He would like to see that this area stays rural as it is now and is concerned with the water supply.

Mr. and Mrs. Geddes of 232 Bowman Road stated that they moved to this area due to it being agricultural in nature and that they also have a horse farm. They are concerned on the impact of water and feel that the zoning should stay as it is.

Rick Treadway of 168 Foxfire Road agreed with the comments by the Geddes.

Jason Kauffman is against the proposal and agrees with the previous comments.

Margaret Brewer of 224 Foxfire Road and her two brothers are the largest property owners in the area. Ms. Brewer and her brother, Skip Brewer expressed their concerns with the water supply.

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, visitors. Values: Competent, Courteous, Professional, and Responsive.

Joel Shriberg stated that there is adequate water for this project.

With no further public comments, Leo Santowasso, Chair closed the Public Hearing and re-entered into the regular meeting.

Bruce Gould, Principal Planner explained to the Board that he has been in contact with Leonard McBryde, Engineer for Moore County Public Utilities and that Leonard has stated that there is enough water for this development. Bruce stated that there were other sources available for additional water supply such as Southern Pines, Harnett County and the Cape Fear River.

Cyndie Burnett asked how this will affect the wells. Bruce Gould explained that the wells will not be pumping at the same time.

Mike Marsh asked about open space and common areas. Bruce Gould responded that those areas would be turned over to the Home Owners Association (HOA).

Carol Henry asked about the neighborhood meeting. Ken Bass responded that there are 11 property owners and four showed up and stated their concerns.

Kevin Drum asked about the process of how staff has reviewed this project. Bruce Gould responded that there have been courtesy reviews by the Technical Review Committee and comments and responses have been going back and forth which has lead us to this meeting.

Leo Santowasso Chair noted that several items of Appendix C of the Pinehurst Development Ordinance concerning General Concept Plan Information requires more discussion in addition to clarification regarding such items as landscape buffers, HOA responsibilities, sidewalk location, protection of open space and deed overlap, among others. The Board also needs more time to deliberate the specific conditions of rezoning since this Planning and Zoning meeting has to be adjourned to hold a Board of Adjustment Public Hearing at 5:00 pm. Leo Santowasso, Chair suggested that the meeting be continued to next week and to provide a list to Ken Bass and that a sub-committee with staff address these issues.

The sub-committee will be Leo Santowasso, Mike Marsh, Kevin Drum, Alex Cameron and Bruce Gould. They will meet on Wednesday, July 12, 2017 at 9:00 am.

IV. New Business

Fred Engelfried made a motion to appoint Mike Marsh as Vice Chair; Cyndie Burnett seconded the motion, which was unanimously approved.

V. Next Meeting Date: August 3, 2017

VI. Motion to Continue

With no further discussion, Fred Engelfried made a motion to continue this meeting to Thursday, July 13, 2017 at 4:00 pm; Cyndie Burnett seconded the motion, which was unanimously approved.

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, visitors. Values: Competent, Courteous, Professional, and Responsive.

Continued from the July 6, 2017 Meeting

Board Members in Attendance:

Leo Santowasso, Chair
Mike Marsh, Vice-Chair
Cyndie Burnett, Board Member
Kevin Drum, Board Member
Fred Engelfried, Board Member
Carol Henry, Board Member

Board Member Absent:

Jeff Haarlow, Board Member
David Kelley, Vice Chair
Myles Larsen, Board Member

Staff in Attendance:

Bruce Gould, Principal Planner
Alex Cameron, Planner
Gwendy Hutchinson, Planning and Administrative Assistant

II. Call to Order

Chairman Santowasso stated that this meeting is continued from the July 6, 2017 meeting and called it to order.

III. Public Meeting

Ken Bass, Applicant and Tucker McKenzie, Engineer for Withers Ravenel were present to answer any questions or address any concerns of the Board.

Leo Santowasso, Chair asked if there were any comments from the audience.

Debbie McGovern in Pine Orchard is not in favor of this project.

Brenda and Bob Luck own a mobile home park at 455 Foxfire Road and are concerned with water issues and with the density of this project.

Collette Kolinski is not in favor of this project.

George Lucas asked if this was a voluntary annexation. Bruce Gould responded that it was.

With no further Public Comments, Leo Santowasso stated that the sub-committee consisting of Leo Santowasso, Kevin Drum, Mike Marsh, Alex Cameron and Bruce Gould met on July 12, 2017 to discuss conditions for this project. Leo Santowasso stated that the conditions had been forwarded to Ken Bass and asked Ken if he had any questions or concerns.

Ken Bass indicated that he was concerned with the setbacks making the backyards smaller. He believes that families will be moving into these homes and that they would want to have a larger back yard.

Bruce Gould, Principal Planner stated that the main concern seems to be water. In speaking the Leonard McBryde, Engineer for Moore County Public Utilities he has said that the water is a unified system and there is more than enough water.

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, visitors. Values: Competent, Courteous, Professional, and Responsive.

Bruce Gould discussed the following:

- 1) Waiver from section 3.02a of the Engineering Standards to allow the installation of ditch section roadways.*
- 2) The development will petition for annexation into the Village of Pinehurst.*
- 3) Minimum heated house square footage: 2,400 sq. ft.*
- 4) Minimum heated house square footage: 3,599 sq. ft.*
- 5) A landscape easement shall be provided along the rear of proposed lots adjoining properties to the subdivision as shown. The landscape easement shall be 10' wide and shall remain as undisturbed.*
- 6) Open space lots along Foxfire Road (labeled as 'OS'), shall remain undisturbed except for installation of required infrastructure.*
- 7) Irrigation wells shall not be allowed within the subdivision.*

These conditions need to reflect those on the plan.

Leo Santowasso, Chair asked for comments from the Board.

Cyndie Burnett asked about the location of the mailboxes. Tucker McKenzie responded that they were within United States Postal Service and Department of Transportation regulations.

Fred Engelfried stated that he heard more from nearby neighbors as opposed to abutting neighbors and that nothing changes in the demand of water.

Kevin Drum stated that there is 200' of woods frontage and the 10' agreed on the other 3 sides and the fact that the developer agreed there will be no wells allowed in the subdivision there should be less impact on local wells with this project than what is allowed in present zoning.

Mike Marsh indicated that all of his concerns have been addressed.

Carol Henry responded that it seems a little "iffy". Carol asked how that many homes can be built and not have an effect of water.

Bruce Gould responded that 15 municipal wells serve 10,000 lots and that Moore County Engineer, Leonard McBryde has indicated that no additional water will be needed.

Bruce Gould explained that this is a voluntary annexation and Village Council will decide to annex or not.

Open space and common areas would be turned over to the Home Owners Association (HOA).

Carol Henry asked about perking and Bruce Gould explained that the areas with hatch markings indicate areas that are not suitable for septic and approval from Moore County Environmental Health will be required prior to final platting of lots.

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, visitors. Values: Competent, Courteous, Professional, and Responsive.

With no further discussion, Mike Marsh made a motion to recommend to Village Council to rezone two parcels of land consisting of approximately 28 acres at 224 Foxfire Road and 376 Foxfire Road from R-210 Residential District (low density residential) to R-30 Conditional District Medium Density Residential with the conditions as listed;

- 1) Waiver from section 3.02a of the Engineering Standards to allow the installation of ditch section roadways.*
- 2) The development will petition for annexation into the Village of Pinehurst.*
- 3) Minimum heated house square footage: 2,400 sq. ft.*
- 4) Minimum heated house square footage: 3,599 sq. ft.*
- 5) A landscape easement shall be provided along the rear of proposed lots adjoining properties to the subdivision as shown. The landscape easement shall be 10' wide and shall remain as undisturbed.*
- 6) Open space lots along Foxfire Road (labeled as 'OS'), shall remain undisturbed except for installation of required infrastructure.*
- 7) Irrigation wells shall not be allowed within the subdivision.*

As this is consistent with the 2010 Comprehensive Plan as this proposal takes into consideration the changing needs and desires of the community and is therefore deemed to be in accordance with the 2010 Comprehensive Plan amended October 11, 2011. Achieving goals in accordance with the Comprehensive Plan is considered reasonable and in the best interest of the public; Fred Engelfried seconded the motion, which was unanimously approved:

Ken Bass, Applicant has agreed with the conditions.

Poll the Board:

<i>Fred Engelfried</i>	<i>Yes</i>
<i>Cyndie Burnett</i>	<i>Yes</i>
<i>Carol Henry</i>	<i>Yes</i>
<i>Mike Marsh</i>	<i>Yes</i>
<i>Kevin Drum</i>	<i>Yes</i>
<i>Leo Santowasso</i>	<i>Yes</i>

The vote was 6-0 in favor of the rezoning.

IV. Next Meeting Date

August 3, 2017

V. Adjourn

Fred Engelfried made a motion to adjourn, Mike Marsh seconded the motion. The meeting adjourned at 4:40 pm.

*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: Competent, Courteous, Professional, and Responsive.*