



**VILLAGE COUNCIL
MINUTES FOR WORK SESSION OF JULY 27, 2021
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA**

IMMEDIATELY FOLLOWING THE REGULAR MEETING

The Pinehurst Village Council held a work session at 8:37 p.m. Tuesday, July 27, 2021, in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The meeting was streamed in real time on the Village's website.

The following were in attendance in Assembly Hall:

Mr. John C. Strickland, Mayor
Ms. Judy Davis, Mayor Pro Tem
Ms. Lydia Boesch, Councilmember
Mr. Kevin Drum, Councilmember
Ms. Jane Hogeman, Councilmember
Mr. Jeffrey Sanborn, Village Manager
Ms. Kelly Chance, Village Clerk

And approximately 7 attendees, including 5 staff and 0 press.

1. Call to Order.

Mayor John Strickland called the Council work session to order.

2. Discuss Potential Future Agenda Items.

- None

3. Discuss Proposed Buffer Development Ordinance

Jeff Sanborn, Village Manager stated the purpose of this discussion item is to discuss the proposed buffer development ordinance and updates to the ordinance based upon previous Council feedback.

Alex Cameron, Planning Supervisor, discussed amendment to Ordinance #21-06 which created various provisions within the Pinehurst Development Ordinance pertaining to development buffer requirements for residential, nonresidential, and undeveloped properties. He stated staff had taken a fresh look at the ordinance and are ready to receive further Council feedback, with the hopes of moving the ordinance forward towards a vote. It was noted that the Ordinance uploaded was not the correct version as it lacked red underlining and strikethroughs of recent changes. Mr. Cameron stated he will upload the correct version and provide Council an opportunity at the August 10th work session to review it.

Councilmember Boesch stated she is against the ordinance and finds it comes too close to infringing on the private communities existing covenants and guidelines, such as CCNC and Pinewild. She stated she received emails from the Architectural Board of Pinewild and a representative of CCNC expressing opposition to the proposed ordinance. Councilmember Boesch further noted that the General Assembly stated that if we pass this ordinance, they will react to counter it. She stated she is afraid of the legal issues that could ensue from Council passing the proposed ordinance. Councilmember Boesch remarked she has seen this ordinance as a red flag from the beginning and has taken the time, beginning with the guiding principles, and reviewed the entire ordinance. She stated she will share her collection of information with Councilmembers via email.

Mr. Cameron stated he and Darryn Burich continue to speak with those in the community, providing clarification on any questions or misunderstandings of what the proposed ordinance will require. He also ensured Council that staff will do whatever Council wants, offer only legislatively allowed requirements, and will work to avoid any negative impact on the community. Mr. Cameron stated that until the Village enacts the ordinance and applies it, staff will not have a true feel for how the community will feel about it. Councilmember Drum stated he feels more comfortable with the ordinance now that there is more of a buffering feel.

Mayor Strickland asked if there was anything that appeared to be in violation of state allowances, of which Mr. Cameron stated there was not. Councilmember Boesch noted that Paula Nash, community resident, was concerned that she was not alerted to this discussion being added to the agenda, of which Mr. Cameron stated he will reach out to her and answer any questions she has.

Mayor Strickland deferred the continuation of the discussion to the August 10th work session to give staff time to upload the correct draft document for Council review. Councilmember Boesch noted she will circulate her compiled information to all Council, Village Management, and Planning Staff via email. Councilmember Hogeman stated she felt the proposed ordinance was good as it currently stands and countered that she had spoken with the Pinewild PPOA and it was relayed to her that there was not a concern about the proposed ordinance. Mr. Cameron stated that if staff needed to meet with the PPOA, they would. Councilmember Boesch suggested that Council consider exempting private communities who already have their own covenants in place and Mr. Cameron said that is something that could be done. Councilmember Drum stated he wants to support this ordinance because he does not want to see another incident like Murdocksville Road. Councilmember Hogeman agreed.

4. Discuss 211 Zoning – Reconsideration Letter

Councilmember Hogeman stated we received a request to look at the focus area 5 of Pinewild, which runs parallel to Highway 211. She noted that there is new interest arising in this area and the Village does not have standards in place that comply with the 2019 Comprehensive Plan. She noted she would like to see this zoned as a low density and office use area, with lots of green space. Councilmember Hogeman stated the Village needs to make some text amendments to the OP zone to increase the landscaping requirements and reduce the lighting allowed. She stated the zone is a strip of narrow land – 300 feet wide – and in the middle is a strip about 800 feet that is a hole with a stream. Councilmember Hogeman stated the Pinewild housing along 211 abuts and overlooks this area and down into that hole and will see what buildings go there. She noted that there are other properties as well that might be impacted by this. She said this strip of land is in the ETJ so it must have the same zoning as another OP zone in the Village. Councilmember Hogeman stated she knows doing the text amendments would be tedious, but she would gladly volunteer to help.

Village Manager Sanborn stated that an alternative to be considered would be an overlay zone and Councilmember Hogeman agreed if this focus area 5 would be an overlay zone that encompass all the area surrounding the spot. She stated another alternative would be to pull together a “Turnberry Woods” in Pinehurst South and develop a model for that which could become the needed alternate OP zone of which the Area 5 would mirror.

Councilmember Hogeman requested that since all three of these options will take a while to do, Council should put a moratorium in place for the area while the Village does its work. She noted another alternative to a moratorium would be a special intensity allocation, which she noted, this area is in a protected watershed area that requires a special intensity allocation. Village Manager Sanborn noted there are parts of our ETJ that are in our jurisdiction that we cannot legally annex. He also noted that Council had approved some areas of concentration they felt needed priority. These Mr. Sanborn are intense and time-consuming projects Planning staff are currently working on and if the focus is going to change to other areas, than this must be considered.

Mayor Strickland noted one of the suggestions was to do something in Pinehurst South that could be duplicated so he requested Planning staff take these suggestions and come back to Council with a proposal. He stated he is concerned, and that the Village does need to do something about the issue. Mayor Pro Tem Davis stated, we need to look at the bigger picture and continue to rely on staff to let us know what of these problems can be solved.

5. Other Work Session Business.

- None

6. Motion to Recess the Work Session and Enter a Closed Session

Upon a motion by Councilmember Drum, seconded by Mayor Pro Tem Davis, Council unanimously approved to recess the work session and enter a closed session, by a vote of 5-0, at 9:31 p.m.

7. Closed Session

Council held a closed session pursuant to NCGS §143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a

contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

8. Motion to Adjourn the Closed Session and Re-Enter the Work Session

Upon a motion by Councilmember Drum, seconded by Councilmember Boesch, Council unanimously approved to adjourn the closed session and re-enter the work session, by a vote of 5-0, at 9:58 p.m.

9. Motion to Adjourn.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Hogeman, Council unanimously approved to adjourn the work session, by a vote 5-0, at 10:01 p.m.

Respectfully Submitted,



Kelly Chance,
Village Clerk

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

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