



**PLANNING AND ZONING BOARD
REGULAR MEETING
THURSDAY, MAY 04TH, 2023
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:00 PM**

Board Members Present:

Jeramy Hooper, Chair
Jack Farrell, 1st Vice-Chair
Julia Latham, 2nd Vice-Chair
Paul Roberts
Bruce Hironimus
Matt Jones
Louise Mercuro
Sonja Rothstein

Board Members Absent:

Staff Present:

Alex Cameron, Planning Director
Kathy Liles, Senior Planner
Maria Carpenter, Planner
Shannon Konstantinou, Clerk to the Board
Lori Hercules, IT Technician

Approximately 33 member(s) of the public in attendance.

I. Call to Order

Mr. Hooper called the meeting to order at 04:01 PM, confirmed a quorum was present, and explained the purpose of this meeting. The Board introduced themselves and Mr. Hooper introduced Staff.

Mr. Hooper reminded the public in attendance that there was a sign-up sheet available for those who wished to speak during the Public Hearing and asked those wishing to speak to limit their time to 3 minutes.

II. Approval of Minutes

a. 04-06-2023 Regular Meeting Minutes

Mr. Jones moved to approve the minutes of the April 06th, 2023 Regular Meeting. Seconded by Mr. Hironimus. Approved by a vote of 7-0.

Mr. Hooper reminded those present the Public Hearing from April 06, 2023 remained open, provided a brief introduction on the material to be discussed, and asked Mr. Cameron to proceed with the Public Hearing.

**III. Public Hearing (Continued from the April 06th, 2023 Regular Meeting)
Text and Map Amendments to the Pinehurst Development Ordinance and
Zoning Map to Implement the Village Place and Pinehurst South Form Based
Codes**

The purpose of this public hearing is to discuss Official Zoning Map and Text Amendments to implement the Village Place and Pinehurst South Form Based Codes.

- *Also, an updated explanation of how the Regulating Plan may be used will be discussed.*

Mr. Cameron thanked the Board for the effort they have made over the past few months, stated the Board is now at the implementation phase; noted concerns expressed during recent Public Comment periods and the changes made to try to address these concerns; thanked the community of Jackson Hamlet for the invitation to attend their community meeting on April 20, 2023 and noted Mr. Hooper, also, attended the community meeting; reviewed how land use and zoning could be used to address some of the expressed concerns; stated the recent discussions have helped to illuminate the need for further and greater dialogue between the community and the leadership of the Village; and asked those in attendance who would be willing to serve on the Board as an ETJ representative to fill out an application if they have not already done so.

Mr. Cameron reviewed the proposed changes to the Pinehurst Development Ordinance (PDO) and Official Zoning Map amendments, which included: Table of Uses (Family Care Homes, Telecommunication Facilities, and Community Gardens), Regulating Plan (Introductory Paragraph and Description), Dimensional Table 9.2 (Density Caps for Residential Uses, Minimum Open Space for Residential Development, and Minimum / Maximum Building Height), Public or Private Right-of-Way, updated Official Zoning Maps with clearer / cleaner boundaries, and the creation of Block J in the Pinehurst South Official Zoning Map.

Mr. Jones, Mr. Hironimus, and Mr. Hooper thanked Mr. Cameron for the effort and thought put into the proposed amendments and commended Mr. Cameron for his professionalism in representing the Village at the recent Jackson Hamlet community meeting.

Mr. Cameron and the Board reviewed the definition of Home Occupation and proposed density allocations in relation to current density allocations.

Mr. Hooper asked the Board if there were any further questions for Staff. Hearing none, Mr. Hooper opened the Public Hearing to an additional Public Comments period.

Ms. Anne Harvey, from the Southern Coalition for Social Justice (1401 W. Hwy. 54, Durham, NC 27707) on behalf of the Jackson Hamlet Community Action Group, thanked the Board and Mr. Cameron for their work addressing some of the community's concerns, stated the proposed changes to the amendments are a good compromise by ensuring existing uses are permitted by right moving forward, clarified with Staff when replacement of an existing non-conforming structure would be prohibited and the fact that the proposed changes to the amendments do not make existing uses within the community non-conforming, stated the community's interest in developing a special character or overlay district in the future, elaborated on some of the community's historical significance to both the African American and Village of

Pinehurst communities, and expressed the hope that the Village Council would build upon Mr. Cameron and Mr. Hooper's recent visit to the community and be willing to engage in further dialogue.

Mr. O'Neal D. Russ, 158 Charity Ln., expressed concern over the confusion caused with mail delivery due to the discrepancy between physical address and Post Office jurisdiction, thanked the Board and fellow community members for their presence at the meeting, verified the Village Council will be holding a meeting to decide upon the proposed plans on May 09, 2023, stated there has been an increase in the amount of wildlife throughout the Jackson Hamlet community since development nearby has increased, provided a historical account of the families in Jackson Hamlet, and stated a willingness to continue working with the Board and Village to preserve the history of and educate the greater community on the contributions made by members of the Jackson Hamlet community.

Ms. Lynn Goldhammer, 11 Salem Ln., expressed concern over the urbanization of the Village of Pinehurst community and the resulting impact development will have on the community, stated the Village needs to use zoning to help control the increase in population not promote the increase, asked that instead of importing people from other areas to fill the needs of local businesses the community work on training local people to fill those needs, expressed concern over the rising rate of homelessness and development pricing people out of the area, and stated the community did not ask for development plans.

Ms. Eugenia Russ Oliphant, prior Jackson Hamlet resident and daughter of current Jackson Hamlet resident (425 Walsenburg Dr., Durham, NC 27712), stated the suburban nature of the Pinehurst / Jackson Hamlet area is the appeal for most residents living in or moving to this area and provided a personal account of her family's history and experiences in the area.

Ms. Teresa Gant, 205 Cotton St., provided a personal account of her family's history in the area and motivation for relocating to the area from Connecticut, and stated progress brings more people, which, also, brings more crime.

Ms. Bernice Brown, 119 Gaines St., provided a personal account of her family's history in the area, expressed concern over the decline she's witnessed happening in the area, and asked the Board to consider rebuilding what is already in existence over building new.

Mr. Hooper asked if anyone else wished to provide comments. Hearing none, Mr. Hooper asked the Board to move into the deliberation portion of the meeting.

Mr. Farrell moved to adjourn the Public Hearing and enter into the Regular Meeting. Seconded by Mr. Jones. Approved by a vote of 7-0.

Mr. Cameron asked if the Board agreed with the changes made to the proposed Pinehurst Development Ordinance and Official Zoning Map amendments since the April 06, 2023 meeting. The Board agreed with the changes made.

Mr. Cameron asked the Board for feedback on the addition of Religious Institutions and Community Shared Facilities in Block J (the Board agreed with the additions). The Board, also, agreed to allowing Civic Cultural Facilities in Block J as a Conditional Zoning use.

The Board and Staff discussed the future potential for a historic preservation overlay to include the Jackson Hamlet community, the boundaries of Jackson Hamlet not being clearly defined, when the Jackson Hamlet community became part of the Pinehurst Extra-Territorial Jurisdiction, the history of the development of the Jackson Hamlet community, the requirements needing to be met in order to implement a historic preservation overlay, the boundary of Block J on the proposed Pinehurst South Official Zoning Map, and the need to eventually resolve the jurisdiction around Olivia Ln.

Mr. Jones thanked Mr. Hooper and Mr. Cameron for attending the Jackson Hamlet community meeting as representatives of the Village and those in attendance for their comments, and stated the intention of the plans for Village Place and Pinehurst South have always been to help protect these areas and prevent large-scale development that is not in the nature and character of the community.

Ms. Rothstein shared appreciation for all of the work that has been put into the plans, thanked the Jackson Hamlet community for their contributions to the discussions and voice support for the community's desire to move forward with a historic preservation overlay, and re-iterated the Board's willingness to work the members of the Jackson Hamlet community.

Mr. Hironimus built upon the comments of Mr. Jones by re-iterating the fact that intention behind the plans is to set forth an appropriate guide for development to help protect the integrity of the community, and voiced appreciation for the Village leadership and Board being willing to move forward with the plans.

Ms. Latham voiced support for the inclusion of prefabricated or manufactured homes as an allowed use in Block J; noted inclusion of this type of use is important to maintaining the historical rights and uses of the properties in the Jackson Hamlet community; stated people need to be able to continue uses, to be able to stay in their communities, and to not be zoned out of communities by being required to rebuild or develop in a way that is not sustainable; and thanked Staff for having the foresight to include this type of use in the Jackson Hamlet community.

Mr. Hooper clarified with Mr. Cameron when the 50% or more regulation would be triggered for a non-conforming use or structure on a property.

Mr. Roberts expressed concerns over the density allowances for certain areas of Village Place and Pinehurst South.

Mr. Farrell discussed the use of terms such as Villas, Manors, etc. being used for different types of structures based on dimensions. Mr. Cameron stated the terms would continue to be used and asked the Board if adding the corresponding blocks from the Official Zoning Map to Table 9.2b of the PDO would be useful (the Board agreed this addition would be useful and asked Staff take this revision into consideration).

Ms. Mercurio spoke in support of the density allocations and stated, depending on the type of neighborhood, the density allocations were standard.

Mr. Hooper asked the Board if they were prepared to move forward with a recommendation to Council. Mr. Cameron reminded the Board of the procedure they needed to follow when making a motion on their recommendation.

Mr. Jones moved the Planning and Zoning Board recommend approval of the zoning map amendments to the Pinehurst Village Council and find that the amendments are consistent with the 2019 Comprehensive Plan. Seconded by Mr. Hironimus.

Mr. Farrell asked that Mr. Jones' motion be amended to include the reason the amendments are consistent (due to Implementation Strategies 2.13, 2.15, and 2.16).

Mr. Jones moved the Planning and Zoning Board recommend approval of the zoning map amendments to the Pinehurst Village Council and find that the amendments are consistent with the 2019 Comprehensive Plan. Reasons why amendments are consistent: Implementation Strategies 2.13, 2.15, 2.16, and 2.17. Seconded by Mr. Farrell. Approved by a vote of 7-0.

Mr. Jones moved the Planning and Zoning Board recommend approval with revision of the zoning text amendments to the Pinehurst Village Council and find that the amendments are consistent with the 2019 Comprehensive Plan. Reasons why amendments are consistent: Implementation Strategies 2.13, 2.15, 2.16, and 2.17. Revision: Add Civic Cultural Facilities as a Conditional Zoning use to Block J. Seconded by Ms. Rothstein. Approved by a vote of 7-0.

IV. Next Meeting Date

A. 06-01-2023 Regular Meeting

Mr. Cameron reminded the Board that, following Mr. Alzamora's departure from the Board after his term expired in April 2023, a new Chair for the Board of Adjustment is needed and provided the Board with an overview of the anticipated agenda for the June meeting.

Ms. Latham and Mr. Cameron reminded those in attendance that the Board provides a recommendation to the Village Council and the Village Council will meet to consider

the Board's recommendation of the Small Area and Form Based Guidance Plans on May 09, 2023, and the Board's recommendation of the proposed amendments to the PDO and Official Zoning Map on May 23, 2023.

V. Motion to Adjourn

Mr. Jones moved to adjourn the Regular Meeting. Seconded by Ms. Rothstein.
Approved by a vote of 7-0 at 05:38 PM.

Respectfully Submitted,

Shannon Konstantinou
Clerk to the Board &
Planning 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.