

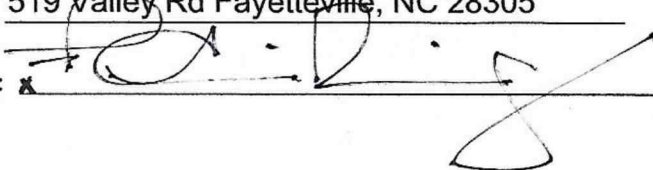


Application for
Amendment to Zoning Map
(revised 3/14/17)

Applicant

Name: F. Calvin Riddle Jr. Telephone: 910 322 8706

Address: 519 Valley Rd Fayetteville, NC 28305 Email: calvin@riddlecap.com

Signature:  Date: 12/18/2018

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

Parcel ID #: 00039843 PIN 857210377063

(attach separate list if necessary)

Present zoning classification: Not Zoned - Currently in Southern Pines ETJ

Requested zoning classification: R-15 CD

Current Land Use: Vacant

Number of parcels: 1 Approximate size of area: 1.14 AC

Physical location of area: Fronts Knoll Road

Are public utilities available?: Yes

Reason for map amendment: WE PURCHASED THE ABOVE REFERENCED PARCEL ALONG WITH PARCEL 857200375392 CONTAINING 3.59 AC. THE 3.59 AC. PARCEL LOCATED WITHIN PINEHURST ETJ WAS SUBMITTED FOR RE-ZONING AND APPROVED BY THE PINEHURST VILLAGE COUNCIL FOR R-15CD ON SEPTEMBER 25, 2018. WE ARE DEVELOPING THE TWO PARCELS AS ONE AND RESPECTFULLY REQUEST THE SIMILAR ZONING R15-CD. WE ARE VOLUNTEERING ANNEXATION OF OUR NEW 9 LOT DEVELOPMENT TO PINEHURST.

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.

ORDINANCE #19-02

AN ORDINANCE MODIFYING AN ANNEXATION AGREEMENT BETWEEN THE VILLAGE OF PINEHURST, NORTH CAROLINA AND THE TOWN SOUTHERN PINES, NORTH CAROLINA FOR THE MUTUAL BOUNDARY LINE BETWEEN THESE TWO MUNICIPALITIES

WHEREAS, North Carolina General Statutes (N.C.G.S.) Chapter 160A, Article 4A, Part 6 authorizes two or more cities to enter into binding agreements regarding future annexation in order to enhance orderly planning by such cities; and

WHEREAS, the governing boards of the Village of Pinehurst and the Town of Southern Pines seek to carry out plans for future land uses; provision of important public facilities such as sewer and water services, roadways, and recreation; and the protection of open space and other sensitive areas; and

WHEREAS, potential conflict and confusion may occur along the interface between two jurisdictions when the future municipal boundaries between the two are unclear; and

WHEREAS, both the Village of Pinehurst and the Town of Southern Pines desire to foster good intergovernmental relations; and

WHEREAS, the governing boards and the staffs of these two communities had engaged in a process of discussion that led to determination of a municipal and utility service boundary between the two communities; and

WHEREAS, that ordinance was adopted following independent public hearings by the Village of Pinehurst on July 28, 2009 and the Town of Southern Pines on August 11, 2009, with notice provided in accordance with N.C.G.S. 160A-31(c); and

WHEREAS, the governing boards of the Village of Pinehurst and the Town of Southern Pines have agreed to modify the boundary as set out in that agreement; and

WHEREAS, this ordinance has been adopted following independent public hearings by the Village of Pinehurst on January 22, 2019 and the Town of Southern Pines on January 8, 2019;

NOW, THEREFORE, BE IT ORDAINED by the Village Council of the Village of Pinehurst, North Carolina and the Town Council of the Town of Southern Pines, North Carolina:

SECTION 1. Boundary. The areas to be included within the modified annexation agreement are depicted on Exhibit "A" of this document.

SECTION 2. Notice of Adjacent Annexations. That each participating municipality which proposes any annexation of property immediately adjacent to the boundary line that is established by this agreement must give written notice to the other municipality of such

annexation, at least 60 days before the adoption of any such annexation ordinance. The notice shall be in compliance with N.C.G.S. 160A- 58.24(a) (5) and (b) and shall be sent by mail to the Manager of the other municipality. Either Municipality may waive the time period for notice by giving a written waiver to the other party.

SECTION 3. Replacement of Prior Agreement. This agreement supersedes any previously adopted annexations that are in effect at the adoption date of this ordinance.

SECTION 4. Effective Date. That this Agreement shall become effective immediately following its adoption by ordinance by the governing board of both the Village of Pinehurst and the Town of Southern Pines.

SECTION 5. Modifications or Amendments. That this ordinance may be modified or amended with a subsequent agreement entered into by both participating municipalities pursuant to G.S. 160A-58.24(d). All modifications and amendments to this agreement shall be approved by ordinance and adopted after public hearings by both municipalities.

SECTION 6. Term of Agreement. That the term of this agreement shall be for a period of 20 years from the latest adoption of this ordinance dated below.

SECTION 7. Termination of Agreement. That this agreement may be terminated by either town in the manner prescribed by G.S. 160A-58.24(f). This agreement shall be effective until such termination occurs or 20 years, whichever comes first.

SECTION 8. Applicability of regulations. The Town of Southern Pines regulations and powers of enforcement shall remain in effect until the Village of Pinehurst has applied its regulations and powers of enforcement to the area that was within the jurisdiction of the Town of Southern Pines before the adoption of this ordinance.

Adopted this 22nd day of January, 2019.

VILLAGE OF
PINEHURST VILLAGE
COUNCIL

(Municipal Seal)



Attest:

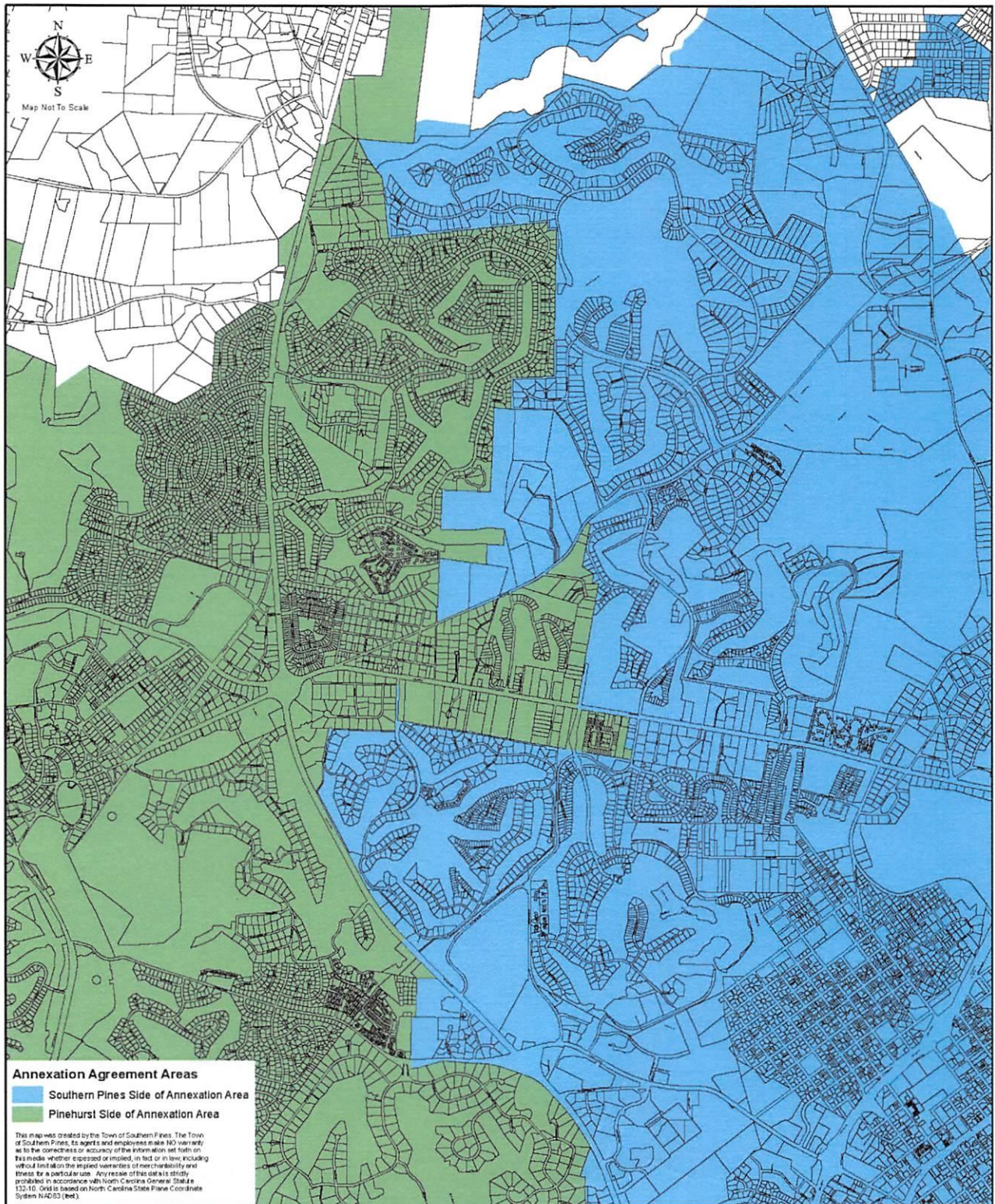
Beth Dunn
Beth Dunn, Village Clerk

By: Nancy Roy Fiorillo
Nancy Roy Fiorillo, Mayor

Approved as to Form:

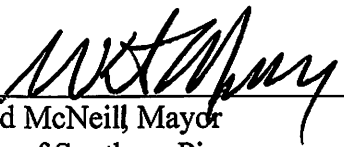
Michael J. Newman
Michael J. Newman, Village Attorney

Exhibit A: The Village of Pinehurst & The Town of Southern Pines Annexation Agreement Map



X:\GIS_DATA\WKD_PDF\Planning\PinehurstSoPinesProExchange\2018-Update\2018UpdateExhibitA.mxd

Adopted by the Town of Southern Pines: January 8, 2019



David McNeill, Mayor
Town of Southern Pines

Agreement Effective on: January 22, 2019
Date



REVISIONS

SYM.	DESCRIPTION	DATE	BY
	POST ANNEXATION AGREEMENT	1/23/19	

6003060120

SCALE: 1" = 60'-0"

NORTH

VICINITY MAP

NTS

DEVELOPMENT DATA:
OWNER: VILLAGE DEVELOPERS, INC
519 VALLEY RD.
FAYETTEVILLE, NC, 28305

PARCEL ID #: 00032232 & 00039843
DEED BOOK: 5052, PAGE: 119
TOTAL ACRES: 4.73

ZONING(CURRENT): R-15-CD & RS-3.
ZONING (PROPOSED):RS-3 TO BE REZONED TO R-15-CD.
CURRENT USE: VACANT
PROPOSED USE: SINGLE FAMILY RESIDENTIAL
AREA: 4.73 ACRE TOTAL
RIVER BASIN: CAPE FEAR
SUB-BASIN WATERSHED: PROJECT IS NOT IN A DELINEATED WATERSHED
FLOODPLAIN: PROJECT IS NOT LOCATED WITHIN THE 100 YEAR FLOODPLAIN
RED-COCKADED WOOPECKER INACTIVE PARTITION: SOP1 109. NO CAVITY TREES ARE PRESENT ON THE PROJECT SITE, PER US FISH AND WILDLIFE.

EXISTING BUILDING SQ. FT.: 0 SF
EXISTING IMPERVIOUS SURFACE: 0 SF
PROPOSED NEW IMPERVIOUS SURFACE: 29,000 SF (0.67 ac.)
MAXIMUM IMPERVIOUS ALLOWED PER LOT: 45% (IMPERVIOUS COVERAGE TO BE VERIFIED AT REQUEST FOR BUILDING PERMIT PER LOT)

PARKING REQUIRED: 2 / DWELLING UNIT = 18 SPACES REQUIRED

OPEN SPACE REQUIRED: 0.71 AC., 15% OF TRACT (4.73 x 0.15 = 0.71 ACRE)
OPEN SPACE PROVIDED: 0.96 AC. (20.30%)

LANDSCAPE BUFFER: SEE CONDITION #1

PROPOSED NEW 6" COUNTY WATERLINE: TBD
PROPOSED NEW 8" COUNTY SANITARY SEWER LINE: TBD
IN THE EVENT OF IRRIGATION INSTALLATION, AN ADDITIONAL WATER METER WILL BE REQUIRED.

LINEAR FOOTAGE OF PROPOSED PRIVATE DRIVE: 731 IF
PRIVATE DRIVE TO BE CONSTRUCTED TO VILLAGE OF PINEHURST STANDARDS

TYPICAL LOT DIMENSIONS: 80' WIDE x 150' DEEP (AVG.), 12,000 SF (AVG.)

DEVELOPMENT TO BE COMPLETED IN ONE PHASE. DEVELOPMENT TO HAVE 15 MPH SPEED LIMIT.

DEVELOPMENT INTENDS TO HAVE NEIGHBORHOOD ENTRANCE SIGN. A SIGN PERMIT WILL BE APPLIED FOR PER THE DEVELOPMENT ORDINANCE OF THE REGULATING ENTITY.

MINIMUM LOT WIDTH AT SETBACK: 60'
MINIMUM LOT WIDTH AT STREET LINE: 20'
MAXIMUM BUILDING HEIGHT: 35'

PROPERTY SETBACKS:
FRONT: 24'
SIDE YARD: 5' & 19' (CONDITIONAL)
SIDE STREET: 16'
REAR: 24'

CONDITIONS:
1. A 10' LANDSCAPE BUFFER WILL BE PROVIDED ALONG THE PROPERTIES THAT FRONT KNOLL RD.
2. ALL LOTS TO HAVE ONE 5' SETBACK AND ONE 19' SETBACK, SUCH THAT NO TWO 5' SETBACKS SHARE SHARE A COMMON LOT BOUNDARY.

Table 9.17.1.11a - Table of Required Open Space - Dimensional Requirements			
USES TYPES	R-30	R-15	R-15 CD
Minimum Lot Size (sf)	24,000	12,000	12,000
Minimum Lot Width at Setback Line (ft)	80	60	60
Minimum Lot Width at Street Line (ft) (Table 9.2a)	20	20	20
Minimum Front Yard Setback (ft)	32	24	24
Minimum Side Yard Setback (ft)	16	12	5
Side Street Setback (ft)	16	16	16
Minimum Rear Yard Setback (ft)	24	24	24
Maximum Building Height (ft)	35	35	35
Maximum Lot Covered by Impervious Surface	36%	45%	45%

- SPECIMEN TREES LEGEND (TRUNK DBH OF 12 INCHES OR GREATER)
- PINE TREES
 - DOGWOOD TREES
 - CEDAR TREES

PRELIMINARY – DO NOT USE FOR CONSTRUCTION

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

Engineering
Landscape Architecture
Planning

LKC

GENERAL CONCEPT
PLAN

MAGNOLIA ON KNOLL

Pinehurst, North Carolina

DATE: JULY, 2018
DESIGNED:
DRAWN:
CHECKED:
NO.



**PLANNING AND ZONING BOARD
FEBRUARY 7, 2019
COUNCIL CONFERENCE ROOM
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:00 P.M.**

Board Members in Attendance:

Leo Santowasso, Chair
Cyndie Burnett, Board Member
Jeremy Hooper, Board Member
David Kelley, Vice-Chair
Julia Latham, Board Member
Mike Marsh, Vice-Chair
Paul Roberts, Board Member

Board Member Absent:

Joel Shriberg, Board Member

Staff in Attendance:

Alex Cameron, Senior Planner
Gwendy Hutchinson, Planning and Administrative Assistant

I. Call to Order

Chair Santowasso confirmed that there was a quorum present and called the meeting to order.

II. Approval of Minutes

January 3, 2019 Draft Minutes

Cyndie Burnett made a motion to approve the January 3, 2019 Minutes as amended; David Kelley seconded the motion, which was unanimously approved.

III. New Business

View Learning Module from UNC School of Government

The Board viewed and discussed the Conditional Zoning Learning Module by Professor Adam Lovelady from the School of Government in Chapel Hill, NC that provided information on the following: Rezoning, Duties of the Planning and Zoning Board, Giving Proper Notice, and other related topics.

IV. General Business

The Board did not have any discussions under General Business.

V. Next Meeting Date

March 7, 2019

VI. Motion to Adjourn

David Kelley made a motion to adjourn the meeting. The motion was seconded by Paul Roberts and carried unanimously. The meeting adjourned at 4:48 pm.

Respectfully Submitted,

*Gwendy Hutchinson
Planning and Administrative Assistant
Village of Pinehurst*

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.



PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT

To: Planning and Zoning Board
From: Alex Cameron, Senior Planner
Cc: Natalie Hawkins, Assistant Village Manager
Date: February 28, 2019
Subject: Staff Report for the Proposed Conditional District Zoning of PID # 00039843 and amendment of the previously approved General Concept Plan for PID #00032232 to include two additional lots.

Applicant:	Village Developers, Inc./Calvin Riddle
Owners:	Village Developers, Inc.
Property Location:	Knoll Rd. adjacent to 140 Knoll Rd.
Rezoning:	Current Zoning: RS-3 (Residential Single Family) District is established as a district in which to allow primarily very low-density Single-Family residential land uses. This is a Town of Southern Pines Zoning District. Proposed Zoning District: R-15-CD (Residential Medium Density-Conditional District) is established as a district in which the principal use of land is for medium-density residential uses. This district is further intended to discourage any use which would be detrimental to the predominately medium-density residential nature of the areas included within the district.
Current Land Use:	Vacant
Proposed Land Use:	2 lot single family subdivision to accompany the previously approved 7 lot single family subdivision approved by Village Council on September 25, 2018 (Ordinance #18-22).

The applicant requests a conditional district rezoning of +/- 1.142 acres currently zoned RS-3 (Residential Single Family) to R-15-CD (Residential Medium Density-Conditional District) in order to develop the property with two additional single family lots as a whole with the adjacent parcel that was previously approved as a seven lot single family subdivision with the same proposed zoning. The applicant and

property owner is Calvin Riddle (Village Developers, Inc.) Included in the documentation for the Conditional District Rezoning request are the application and General Concept Plan.

As you may recall, the applicant also proposed to rezone the adjacent property with the same Zoning (R-15 CD) along with a seven lot subdivision which was approved by Village Council on September 25, 2018. That lot is currently located within the Village of Pinehurst ETJ. The subject property was just previously located within the Town of Southern Pines ETJ and zoned RS-3. In January 2019, both the Town of Southern Pines and the Village of Pinehurst amended their annexation agreement to place this particular lot on the Village's side of the Annexation Agreement boundary line (VOP Ordinance #19-02). With that now the case, a Village Zoning designation needs to be placed on the parcel.



Zoning Map

Analysis:

The proposed development consists of two lots on the parcel in question to accompany the other seven lots that were shown on the previously approved general concept plan. A concrete sidewalk is proposed on one side of the interior street. The access to the nine lot subdivision will be off this parcel included with the rezoning request. The applicant has submitted a petition for voluntary annexation into the Village.

The surrounding properties contain multiple zoning designations and land uses. (See the zoning map above)

The property to the west is zoned RMF and is currently a mixed dwelling townhome residential development known as Walker Station and is within the Pinehurst Corporate Limits.

The adjacent properties to the north, east and south are located within the Town of Southern Pines ETJ. These properties are zoned RS-3 Residential Single Family (30,000 sf lots). Per the Town of Southern Pines Unified Development Ordinance (UDO), the RS-3 district is established to allow primarily very low-density Single Family residential land uses (approximately 1.4 dwelling units per acre).

In addition to the open space provided near the northern point of the properties, additional open space, approximately 0.96 acres or 20.3%, is being shown along Knoll Rd. This open space will meet the view shed requirement of the PDO and exceeds the required 15% minimum amount of required open space for major subdivisions zoned R-15 cited in section 9.17.1.11 of the PDO. Also, section 9.17.1.11 of the PDO allows for reduced setbacks and minimum lot size for residential subdivisions that meet the required open space regulation. The proposal reflects the allowed dimensional standards as well as the setbacks associated with the proposed condition.

The applicant has indicated that utilities will be served by Moore County Public Utilities via an easement coming from the adjacent property to the west (Walker Station development). If this opportunity does not work out, the applicant has indicated that a connection can be made within the Midland Rd. right-of-way. This site contains no floodplains, wetlands or other environmental constraints that are known.

The applicant has indicated one stormwater control measure will be provided on-site to address runoff and meet the requirements of NCDEQ and the Village.

The applicant is asking for the following conditions which were the agreed upon conditions with the approved R-15 CD Rezoning approved by Council on September 25, 2018:

1. All lots to have one 5' side setback and one 19' side setback, such that no two 5' side setbacks share a common lot boundary.
2. A 10' landscape buffer will be provided along the properties that front Knoll Rd.

Recommendation:

The Planning Staff recommends approval of the rezoning request for PID# 00039843 to R-15 CD (Residential Medium Density-Conditional District) as submitted and approval of the amended General Concept Plan.

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

The R-15, R-20, and R-30 Residential District is established as a district in which the principal use of land is for medium-density residential uses. This district is further intended to discourage any use which would be detrimental to the predominately medium-density residential nature of the areas included within the district.

The proposed use will meet all the requirements of the R-15 CD (Conditional District) Zoning and the PDO at the time of site plan approval as well as the general concept plan and any other agreed to or submitted conditions associated with this conditional district rezoning proposal. This staff recommendation is based on the submitted exhibits attached.

Comprehensive Plan Consistency Statement:

Page 56 of the 2010 Comprehensive Long Range Plan identifies the preference for the future development of the areas with the current extra-territorial jurisdiction (and possible additional future areas) is to promote open space development patterns since it will help preserve meaningful open space, help promote water recharge and retain the overall character of the community.

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, etc.).

This proposal takes into consideration the need for additional housing needed of the residents of Pinehurst and the preference for future development in the ETJ to promote open space as mentioned in the Comprehensive Plan. Achieving goals in accordance with the Comprehensive Plan and other planning documents of the village is considered reasonable and in the best interest of the public.



REVISIONS

SYM.	DESCRIPTION	DATE	BY
	ADDITIONAL APPENDIX C COMMENTS	8/10/18	

6003060120

SCALE: 1" = 60'-0"

NORTH

VICINITY MAP

NTS

DEVELOPMENT DATA:
OWNER: PINEHURST REIT, LLC
P.O. BOX 1298
PINEHURST, NC, 28370

PARCEL ID #: 00032232 & 00039843
DEED BOOK: 4778, PAGE: 413
TOTAL ACRES: 4.73 (WITHIN VILLAGE ZONING & SOUTHERN PINES JURISDICTION)
3.59 ACRES IN VILLAGE ZONING
1.14 ACRES IN SOUTHERN PINES ZONING

ZONING(CURRENT): R-30 RESIDENTIAL
ZONING (PROPOSED): R-15-CD
CURRENT USE: VACANT
PROPOSED USE: SINGLE FAMILY RESIDENTIAL
AREA: 4.73 ACRE TOTAL (ONLY DEVELOPING 3.59 ACRE VILLAGE PARCEL)
RIVER BASIN: CAPE FEAR
SUB-BASIN WATERSHED: PROJECT IS NOT IN A DELINEATED WATERSHED
FLOODPLAIN: PROJECT IS NOT LOCATED WITHIN THE 100 YEAR FLOODPLAIN
RED-COCKADED WOOPECKER INACTIVE PARTITION: SOP 109. NO CAVITY TREES ARE PRESENT ON THE PROJECT SITE, PER US FISH AND WILDLIFE.

EXISTING BUILDING SQ. FT.: 0 SF
EXISTING IMPERVIOUS SURFACE: 0 SF
PROPOSED NEW IMPERVIOUS SURFACE: 24,660 SF (0.57 ac.)
MAXIMUM IMPERVIOUS ALLOWED PER LOT: 45% (IMPERVIOUS COVERAGE TO BE VERIFIED AT REQUEST FOR BUILDING PERMIT PER LOT)

PARKING REQUIRED: 2 / DWELLING UNIT = 14 SPACES REQUIRED

OPEN SPACE REQUIRED: 0.54 AC., 15% OF TRACT (3.59 x 0.15 = 0.54 ACRE)
OPEN SPACE PROVIDED: 0.70 AC. (19.50%)

LANDSCAPE BUFFER: SEE CONDITION #2

PROPOSED NEW 6" COUNTY WATERLINE: TBD
PROPOSED NEW 8" COUNTY SANITARY SEWER LINE: TBD
IN THE EVENT OF IRRIGATION INSTALLATION, AN ADDITIONAL WATER METER WILL BE REQUIRED.

LINEAR FOOTAGE OF PROPOSED PRIVATE DRIVE: 731 lf
PRIVATE DRIVE TO BE CONSTRUCTED TO VILLAGE OF PINEHURST STANDARDS

TYPICAL LOT DIMENSIONS: 80' WIDE x 150' DEEP (AVG.), 12,000 SF (AVG.)

DEVELOPMENT TO BE COMPLETED IN ONE PHASE. DEVELOPMENT TO HAVE 15 MPH SPEED LIMIT.

DEVELOPMENT INTENDS TO HAVE NEIGHBORHOOD ENTRANCE SIGN. A SIGN PERMIT WILL BE APPLIED FOR PER THE DEVELOPMENT ORDINANCE OF THE REGULATING ENTITY.

MINIMUM LOT WIDTH AT SETBACK: 60'
MINIMUM LOT WIDTH AT STREET LINE: 20'
MAXIMUM BUILDING HEIGHT: 35'

PROPERTY SETBACKS:
FRONT: 24'
SIDE YARD: 5' (CONDITIONAL)
SIDE STREET: 16'
REAR: 24'

CONDITIONS:
1. LOTS TO HAVE 5' SIDE SETBACKS
2. 10' LANDSCAPE BUFFER ALONG PROPERTIES THAT ARE ADJACENT TO KNOLL ROAD (CONDITION FROM PLANNING AND ZONING BOARD).

Table 9.17.1.11a - Table of Required Open Space - Dimensional Requirements			
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Minimum Side Yard Setback (ft)	16	12	5
Side Street Setback (ft)	16	16	16
Minimum Rear Yard Setback (ft)	24	24	24
Maximum Building Height (ft)	35	35	35
Maximum Lot Covered by Impervious Surface	36%	45%	45%

SPECIMEN TREES LEGEND (TRUNK DBH OF 12 INCHES OR GREATER)

- PINE TREES
- DOGWOOD TREES
- CEDAR TREES

PRELIMINARY – DO NOT USE FOR CONSTRUCTION

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

Engineering
Landscape Architecture
Planning

LKC

GENERAL CONCEPT
PLAN

MAGNOLIA ON KNOLL

Pinehurst, North Carolina

DATE: JULY, 2018
DESIGNED:
DRAWN:
CHECKED:
NO.