

ORDINANCE #17-05:

AN ORDINANCE AMENDING THE OFFICIAL PINEHURST ZONING MAP AS IT PERTAINS TO THE REZONING OF CERTAIN LAND LOCATED AT 105 EVERETTE ROAD, 110 EVERETTE ROAD, 125 EVERETTE ROAD AND 35 KELLY ROAD.

THAT WHEREAS, the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance and Map on the 8th day of October, 2014, for the purpose of regulating planning and development in the Village of Pinehurst and the extraterritorial area over which it has jurisdiction; and

WHEREAS, said Ordinance and Map may be amended from time to time as circumstances and the best interests of the community have required; and

WHEREAS, a public hearing was held at 4:30 p.m. on April 25, 2017 in the Assembly Hall of the Pinehurst Village Hall, Pinehurst, North Carolina after due notice in the Pilot, a newspaper in Southern Pines, North Carolina, with general circulation in the Village of Pinehurst, and its extraterritorial jurisdiction, for the purpose of considering rezoning of multiple parcels of land consisting of approximately 4.25 acres addressed as 105 Everette Road, 110 Everette Road, 125 Everette Road; and, 35 Kelly Road, further defined as being Moore County LRK #'s 24664, 24264, 29859, 17301; and, 9800236 from R-10 (Residential District) and R-20 (Residential District) to R-10 Residential Conditional District (R-10-CD) at which time all interested citizens, residents and property owners in the Village of Pinehurst and its extraterritorial jurisdiction were given an opportunity to be heard as to whether they favored or opposed the proposed rezoning; and

WHEREAS, the Planning and Zoning Board has recommended the zoning map be amended and General Concept Plan be approved; and

WHEREAS, the applicant has agreed upon the following condition(s):

- 1. To allow for an increase of impervious surface which would not exceed 56%.**
- 2. A waiver to SR-18 so as to not require the church to be located on 5 acres or on a major collector or thoroughfare street.**
- 3. All conditions of previously approved special use permits are waived including the requirement that 35 Kelly Road not be used for Church purposes and must remain a single-family residence.**
- 4. Edit Table of Permitted Uses and limit the uses of the property to include only the following:**
 - a. Dwelling, Single Family**
 - b. Religious Institution**
 - c. Accessory Uses:**
 - i. Beekeeping – Limited to 110 Everette Road and 35 Kelly Road**

- ii. Cemetery
 - iii. Child/Adult Day Care Home Occupation – Limited to 110 Everette Road and 35 Kelly Road
 - iv. Wireless Telecom
 - v. Home Occupation – Limited to 110 Everette Road and 35 Kelly Road
 - vi. Pet Houses and Pet Runs –Limited to 110 Everette Road and 35 Kelly Road
 - vii. Playgrounds
 - viii. Accessory Buildings
 - ix. Accessory Structures
 - d. Temporary Uses – Retain all temporary uses as permitted by the PDO
5. Preschool will operate as an accessory use to the Church, thus child care, as a separately permitted use is not required or requested
 6. Conditional District Overlay will replace any previous Special Use Permits with all previous conditions to be removed and no additional requirements established.
 7. Trees to be removed shall be replaced at a minimum ratio of 1 to 1.
 8. No additional parking may be established in the Village right-of-way and all existing parking within the right-of-way must be removed based on the following schedule:
 - a. Completion of Parking Lot “A” will require the removal of the spaces along Everette Road and across from the existing sand lot (approx. 10 spaces)
 - b. Completion of Parking Lot “E” will require the removal of the spaces located at the near and along the corner of Everette Road and Kelly Road (approx. 6 spaces).
 - c. Completion of Parking Lot “F” will require the removal of the spaces located along the southern most portion of Kelly Road (approx. 12 spaces).
 - d. Completion of Parking Lot “G” will require the removal of the spaces located along the Kelly Road and in the vicinity of the crosswalk (approx. 11 spaces).
 - e. Completion of Parking Lot “H” will require the removal of the spaces located along the northern most portion of Kelly Road (approx. 7 spaces).
 9. The removal of parking in the right-of-way will be the responsibility of the Village. The Village will also prepare the former parking areas with topsoil or other material suitable for planting and landscaping. The Church will be responsible for the installation of planting and landscaping which will be approved by the Village to prohibit parking in the right-of-way.

WHEREAS, the Village Council, after considering all of the facts and circumstances surrounding the proposed rezoning, have determined that it is in the best

interests of the Village of Pinehurst and the extraterritorial jurisdiction that the Development Ordinance and Zoning Map be amended.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled on this 23rd day of May, 2017 as follows:

SECTION 1. That the Pinehurst Zoning Map of the Village of Pinehurst and its extraterritorial zoning jurisdiction be and the same hereby is amended by rezoning of approximately 4.25 acres addressed as 105 Everette Road, 110 Everette Road, 125 Everette Road; and, 35 Kelly Road, further defined as being Moore County LRK #'s 24664, 24264, 29859, 17301; and, 9800236 from R-10 (Residential District) and R-20 (Residential District) to R-10 Residential Conditional District (R-10-CD).

SECTION 2. The rezoning map and General Concept Plan is attached hereto as Exhibit A and made a part hereof, the same as if included verbatim.

SECTION 3. This Ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 23rd day of May, 2017.



VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: Nancy Roy Fiorillo
Nancy Roy Fiorillo, Mayor

Attest:

Lauren M. Craig
Lauren M. Craig, Village Clerk

Approved as to Form:

Michael J. Newman
Michael J. Newman, Village Attorney

EXHIBIT A



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

Applicant

Name: Pete Bogle, architect for Community Presbyterian Church Telephone: 704.213.4553

Address: 100 W Innes St, Ste. 200A, Salisbury, NC 28144 Email: pete@boglefirm.com

Signature:  Date: 2018.11.15 12:02:13 -05'00' Date: 11.15.18

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

Parcel ID #: 00024664 PIN 856209175158

(attach separate list if necessary)

Present zoning classification: R10/CD

Requested zoning classification: R10/CD

Current Land Use: Church

Number of parcels: 3 Approximate size of area: 4.25 acres

Physical location of area: 125 Everett Road, Pinehurst

Are public utilities available?: Yes

Reason for map amendment:

Revise previously approved Concept Site Plan to install a tall / dense planted hedge in lieu of approved fence along the property line adjoining Parcel 00015825 at 60 Fields Road. Once grown in, hedge will offer at least the same amount of visual separation as proposed fence, and will do so in a more natural and visually pleasing way.

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.

SITE MASTER PLAN:

GOAL:

- PROVIDE ACCESSIBLE PATH FROM SITE TO ENTRY POINTS THAT SERVE EACH CHURCH FUNCTION.
- PROVIDE UNIFIED CAMPUS ENVIRONMENT THROUGH LANDSCAPING, HARDSCAPES, AND INTENTIONAL CIRCULATION (PEOPLE AND CARS)
- PROVIDE ATTRACTIVE BUILDING ENTRY POINTS THAT ARE VISUALLY OBVIOUS TO A FIRST TIME VISITOR AT SANCTUARY, FELLOWSHIP HALL, OFFICES, AND EVERETTE HOUSE.
- CREATE VISUAL CAMPUS APPEAL FROM NEIGHBORHOOD & STREETS.
- ATTAIN COMPLIANCE WITH PINEHURST UDO THROUGH CONDITIONAL DISTRICT ZONING OVERLAY
- ESTABLISH MAXIMUM IMPERVIOUS % FOR CURRENT AND FUTURE NEEDS.
- PROVIDE LANDSCAPE BUFFERS AT NEW & EXISTING PARKING AS SHOWN.
- PROVIDE ORGANIZED, OFF-STREET PARKING TO HELP ALLEViate STREET CONGESTION AND PARK MAJORITY OF CARS BEHIND LANDSCAPE BUFFERS.

PROPOSED WORKS:

- REMOVE HOUSE AT 105 EVERETTE
- REMOVE HOUSE AT 110 EVERETTE

- KELLY ROAD ENTRY: COVERED DROP OFF WITH COLONNADE TO BLDG. RAMP WALK OF COLONNADE TO ELIMINATE STEPS.
- OFFICE ENTRY: COVERED DROP OFF WITH STAIRS AND COVERED RAMP.
- ADD GABLED ENTRY AT CHOIR / CHAPEL DOOR
- ALL ADDITIONS WILL BE CONSTRUCTED OF MATERIALS, ARCHITECTURAL ELEMENTS, ROOF PITCHES, AND PROPORTIONS THAT MATCH & BLEND WITH EXISTING FACILITY.

- PAVER DRIVEWAY APRONS AT EACH STREET CONNECTION TO CREATE SIGNATURE ENTRY & CAMPUS UNITY.
- LANDSCAPING TO CREATE DESTINATION & OBVIOUS ENTRANCES/SITE ACCESS POINTS.
- ADD LANDSCAPE BUFFERS AT ADJACENT RESIDENCES (NONE CURRENTLY EXIST).

- PARKING LOT A, INCLUDES 43 SPACES
- PARKING LOT B, INCLUDES 16 SPACES
- PARKING LOT C, INCLUDES 39 SPACES
- PARKING LOT D, INCLUDES 6 SPACES
- PARKING LOT E, INCLUDES 3 SPACES
- PARKING LOT F, INCLUDES 4 SPACES
- PARKING LOT G, INCLUDES 3 SPACES
- PARKING LOT H, INCLUDES 14 SPACES
- TOTAL ON-SITE PARKING = 128 SPACES
- R.O.W. PARKING TO BE REMOVED AND LANDSCAPED AS NEW PARKING LOTS ARE CONSTRUCTED (PHASING AS DESCRIBED IN CONDITIONS)
- NOTE: MAX. 25% OF NEW PARKING MAY BE GRAVEL (33)
- NOTE: PDO PARKING REQUIRES 1 PER 3 SEATS OF LARGEST SPACE. FELLOWSHIP HALL MAX OCCUPANCY = 384 PEOPLE = 128 SPACES MINIMUM.

REVISED PER
VILLAGE COUNCIL
COMMENTS

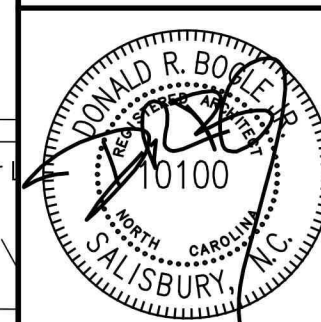
CONDITIONAL DISTRICT SITE PLAN

PROPOSED DEVELOPMENT MASTER PLAN GOALS

MAY 18, 2017

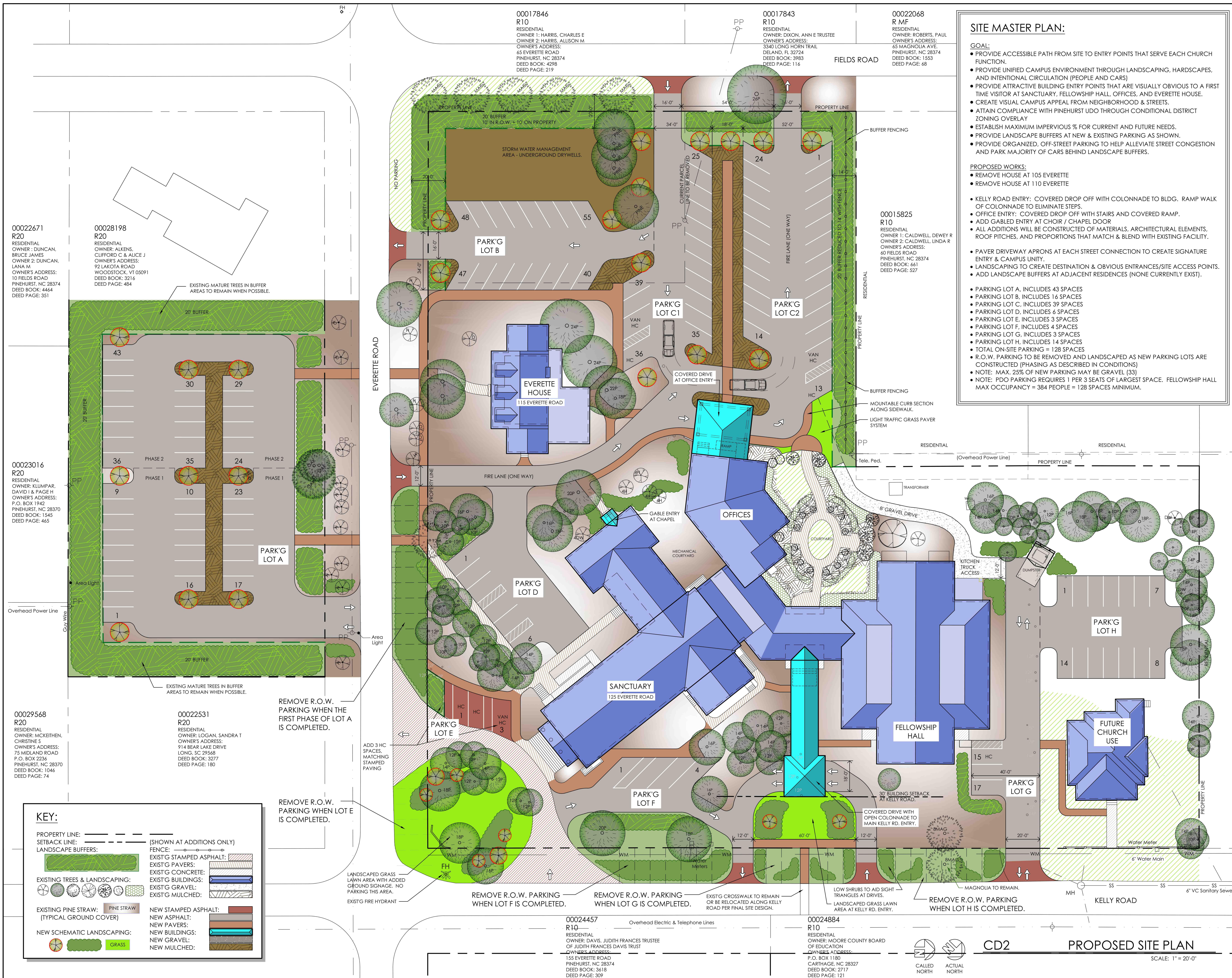
COMMUNITY
PRESBY CHURCH

125 EVERETTE ROAD
PINEHURST, NC



DRAWN BY: DRB
CHECKED BY: DRB
DATE: 5/2017
PROJECT #: 1624

SHEET NUMBER
CD2
OF: 3





MEMORANDUM

To: Planning and Zoning Board

From: Alex Cameron, Senior Planner

Date: November 28, 2018

Subject: **Statement of Text Amendment Consistency with the 2010 Comprehensive Long-Range Village Plan. Requirements for Minimum Heated Square Footage for Townhomes and Multi-family dwellings.**

SECTION 8.6 Special Requirements (SR) to the Table of Permitted and Special Uses and Special Requirements:

Principal Uses

SR-2 Dwelling, Townhouse/Clustered Dwellings and SR-3 Dwelling, Multi-Family

The Village of Pinehurst is proposing this text amendment to the Pinehurst Development Ordinance (PDO). This amendment would change SR-2 and SR-3 of Section 8.6 Special Requirements (SR) to the Table of Permitted and Special Uses and Special Requirements. This amendment would change the minimum heated square footage requirement for townhomes and multi-family dwellings. The current minimum heated square footage for townhomes and multi-family dwellings is 1,500 square feet. These dwellings are currently allowed by right in the R-MF, VCP, VR and VMU Zoning Districts. Recent proposals for land use development in the Village's limits have posed potential issues with meeting the current requirement. Village Council asked members of the Planning and Zoning Board look into a possible amendment to the ordinance. A subcommittee was formed and those members, along with staff, conducted research on the matter including reading other municipalities zoning ordinances, market analysis on various sized units. The subcommittee held several meetings with healthy discussions in order to decide what should be proposed to the full board for consideration. The subcommittee came to an agreement to propose the following amendment to the PDO for review of the full board and recommendation to Village Council.

SR-2 Dwelling, Townhouse/Clustered Dwellings

(4) A townhouse unit lot frontage may be on open space properly restricted through a responsible entity to ensure adequate access. The minimum size for a townhouse or cluster dwelling unit is seven hundred fifty (750) heated square feet for one bedroom dwelling, one thousand (1,000) heated square feet for a two bedroom dwelling and one thousand two hundred fifty (1,250) heated square feet for a three bedroom dwelling.

SR-3 Dwelling, Multi-Family

(1) The minimum size for a multi-family dwelling is seven hundred fifty (750) heated square feet for one bedroom dwelling, one thousand (1,000) heated square feet for a two bedroom dwelling and one thousand two hundred fifty (1,250) heated square feet for a three bedroom dwelling.

Page 3 of the 2010 Comprehensive Long Range Plan states that the Village intends to address community needs in the most efficient and cost-effective manner.

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.).

Page 24 of the 2010 Comprehensive Long Range Plan Implementation Guide indicates standards for floor area, lot coverage, yard setbacks, building height, and overall building mass in residential zones should be reviewed to ensure they are appropriate.

The proposed text amendment will be in accordance with the 2010 Comprehensive Plan. This amendment is consistent with the above mentioned goal outlined in the 2010 Comprehensive Long Range Plan. Achieving goals in accordance with the Comprehensive Plan is considered reasonable and in the best interest of the public.



**Application for
Site Plan Approval**
(revised 3/14/17)

Minor Site Plan (less than two acres disturbed) \$400.00
Major Site Plan \$600.00 + \$100.00 (two or more acres disturbed)

PROJECT NAME: La Foret

PROJECT DESCRIPTION:

Location: Linden Road, Pinehurst

Parcel ID#: 854200811190

Land Use: R00: Res Vacant

Site Acreage: 6.95

Zoning District: R MF

Overlay District:

Urban Transition Highway Corridor: _____

Urban/Village Highway Corridor: _____

Historic District: Yes ☐ No ☒

Does Site Contain Floodplain: Yes ☐ No ☒

Does Site Contain Wetlands: Yes ☐ No ☒

Impervious Surface (%): _____

Watershed: 2 ☐

3 ☐

Building Square Feet: _____

Total: _____

First Floor: _____

PROPERTY OWNER:

Name: Planet Development, LLC

Address: 675 S. Bennett Ste. 4 Southern Pines, NC 28387

CONTACT PERSON:

Name: _____

Telephone: _____

Address: _____

Email: _____

INFRASTRUCTURE:

Water: Public _____ l.f.

Private _____ l.f.

Sewer: Public _____ l.f.

Private _____ l.f.

Streets: Public _____ l.f.

Private _____ l.f.



**Application for
Site Plan Approval**
(revised 3/14/17)

APPLICANT:

Name: R & M Commercial Real Estate, LLC.

Telephone: 910-944-7453

Contact Person Ron Jackson

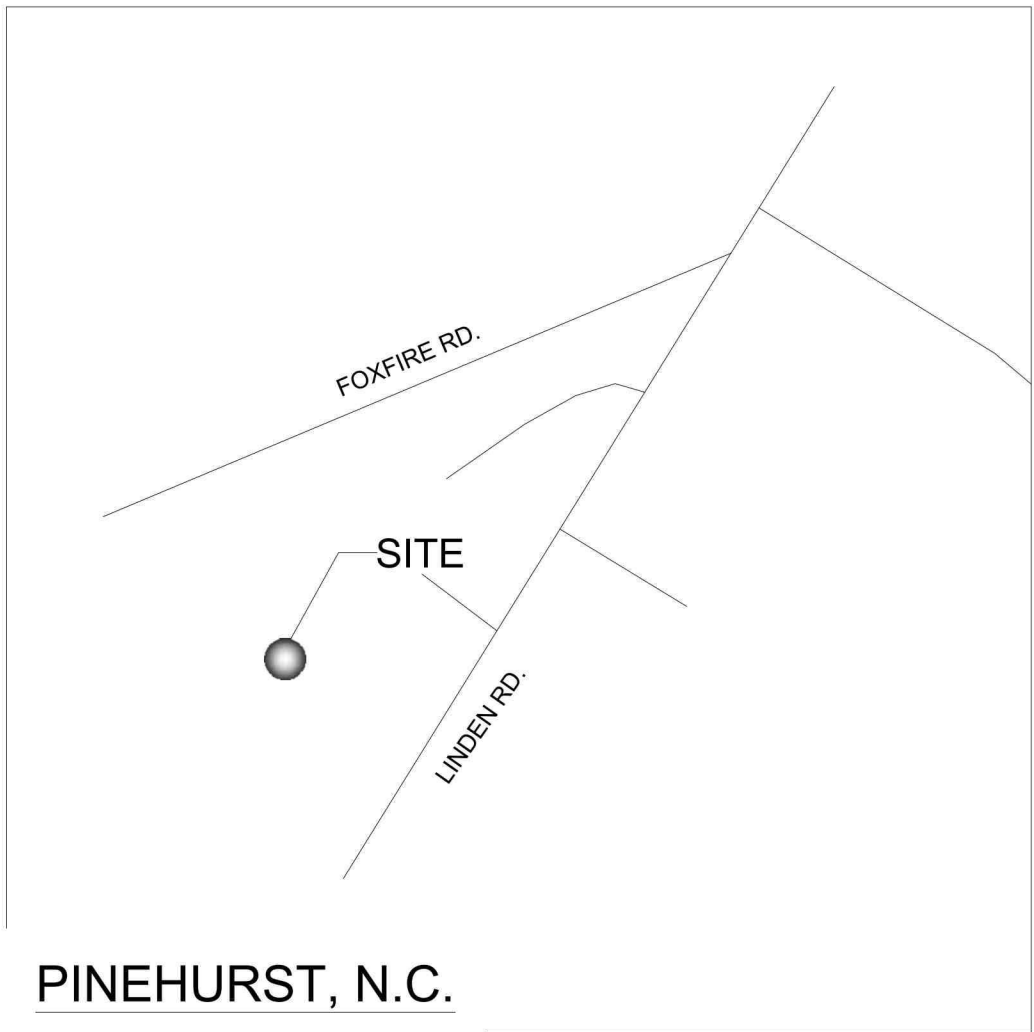
Signature

A handwritten signature, likely of Ron Jackson, is written over a horizontal line. The signature is stylized and cursive.

Address 335 Fields Drive, Aberdeen, NC 28315

SIGNAGE:

All signage except the Address Identification Sign requires separate sign applications.



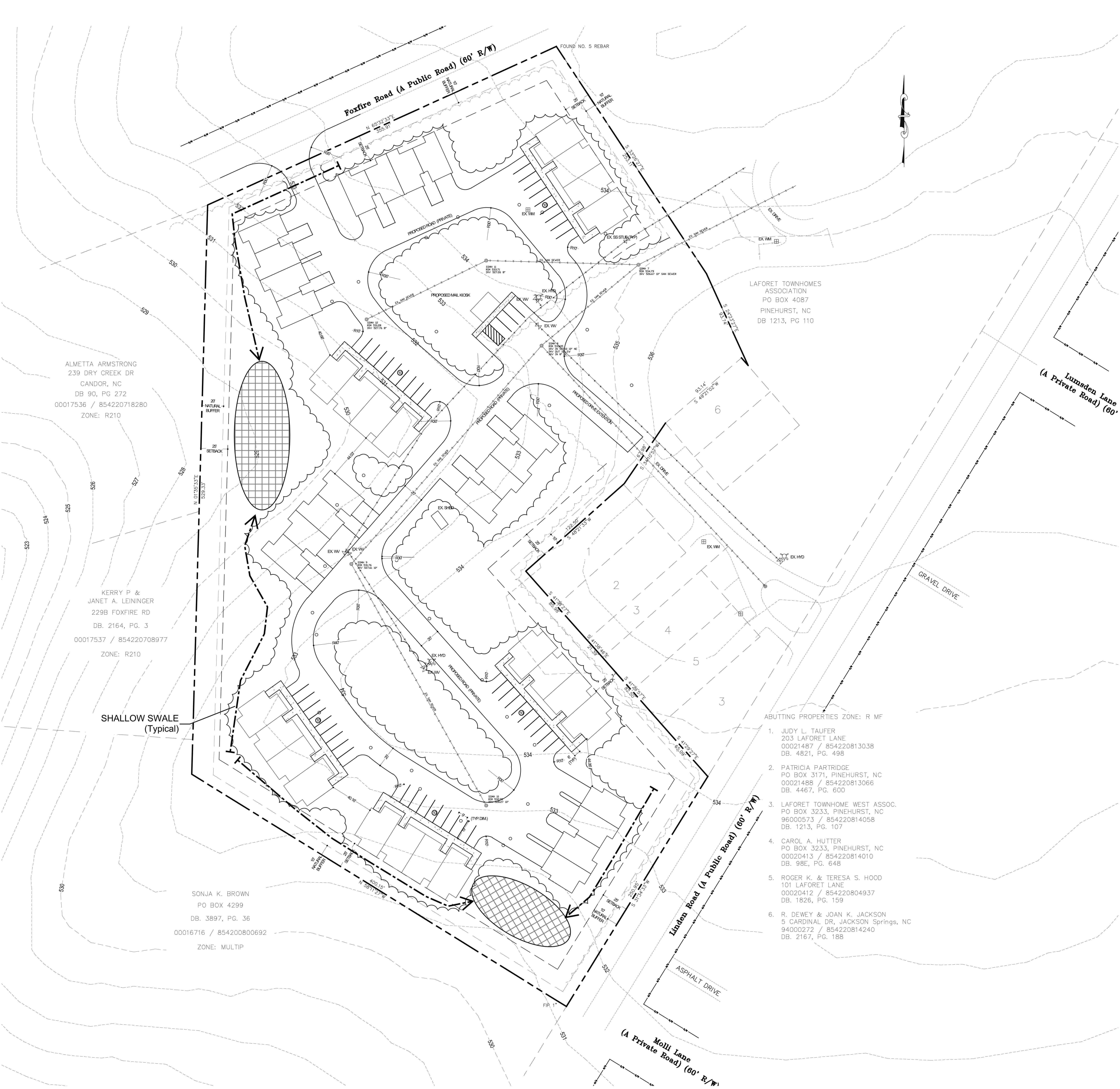
PINEHURST, N.C.

VICINITY MAP (N.T.S.)

GENERAL CONCEPT NOTES

1. CONCEPTUAL INFORMATION PROVIDED THROUGH MOORE COUNTY GIS.
2. SURVEY PROVIDED BY: BENNIE BROWN, 5218 NC HWY 211, PO BOX 307, WEST END NC, 27376 L3031
3. ZONE: R MF
4. WATER AND SANITARY SEWER LOCATIONS PROVIDED BY MOORE COUNTY UTILITIES AND FROM PLAT MAP REGISTERED 8/13/1990 CABINET 7, SLIDE 29
5. PROPERTY CURRENTLY OWNED BY: PLANET DEVELOPMENT, LLC., 675 S BENNETT ST. STE. #4 SOUTHERN PINES, NC 28387
6. PARCEL ID SHORT: 98000634
PIN: 854200811190
DB: 2946, PG: 292
7. PROPERTY IS NOT IN 100-YEAR FLOOD PLAIN AS REFERENCED ON FEMA MAP 3710854200J DATED: 10-17-2006
8. SITE PLAN SHOWS 44 UNITS
9. PARKING SPACES: 2 PER UNIT, PLUS 1 PER 5 UNITS
TOTAL REQUIRED: 88 SPACES
TOTAL PROVIDED: 95 SPACES (55 SPACES + 20 X 2 CAR GARAGES)
10. ISO FIRE FLOW REQUIREMENT ESTIMATED AT 2,000 GPM.
11. EXCEPTIONS REQUESTED:
 - NO SIDEWALKS--IN KEEPING WITH EXISTING UNITS
 - NO CURB AND GUTTER--IN KEEPING WITH EXISTING UNITS
12. MINIMAL GRADING TO BE USED. SITE HAS GENTLE 2-3% GRADE. SHALLOW SWALES SHALL BE USED DIRECT FLIGHT TO INFILTRATION BASINS OR DRYPOND TO MAINTAIN 10-YEAR STORM PEAK FLOWS TO CURRENT FLOW RATES.

Land Use	Intensity	Trip Generation			AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out	Total	In	Out
230 Residential Conominium/Townhouse	40 D.U.	290	145	145	25	4	21	28	19	9



LANDSCAPE
ARCHITECTURE
.....
ENGINEERING
.....
PLANNING

Landscape Architecture ♦ Fayetteville, NC
Civil Engineering ♦ Southern Pines, NC
230C.W. Pennsylvania Ave ♦ Southern Pines, NC 28387
Voice: 910-725-1107
www.crawforddsn.com



SEALS

PRELIMINARY
NOT FOR SALE OR CONSTRUCTION

[PLAN PHASE]

REVISIONS

R & M COMMERCIAL REAL ESTATE, LLC

LA FORET

GENERAL CONCEPT PLAN

Project Manager: KSL
CAD Technician: RFWINGER
Reviewed / Approved By:
Project Number: 18033

0 50 100
Full Scale: Horiz.: 1" = 50'
Half Scale: Horiz.: 1" = 100'

ISSUE DATE

11/16/2018

DATE CHANGES



PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT

To: Planning and Zoning Board
From: Alex Cameron, Senior Planner
Date: November 26, 2018
Subject: Staff Report for Proposed Amendment to the approved R-10 CD- Residential Conditional District (R-10-CD) Official Zoning Map Amendment that was approved on May 23, 2017.

Applicant:	Community Presbyterian Church
Owners:	Community Presbyterian Church
Property Location:	105 Everett Rd., 110 Everett Rd., 125 Everett Rd. and 35 Kelly Rd.
Amendment to Rezoning:	Current Zoning District: R-10 CD –Residential Conditional District is established as a district in which the principal use of land is for high-density residential purposes. Churches are allowable by special use within the district. Proposed Amendment to the R-10 Zoning District: Requested change in required landscape buffer along adjacent residential property.
Current Land Use:	Religious Institution - Community Presbyterian Church.

Background:

The Planning & Zoning Board first held a duly advertised public hearing on the proposed conditional district rezoning on April 6, 2017 and recommended approval to Village Council. Village Council first took up the proposal in a duly advertised public hearing on April 25, 2017 and then discussed it further at a work session held on May 9, 2017. Village Council ultimately approved the conditional district rezoning request at their regular meeting held on May 23, 2017 (see attached ordinance 17-05).

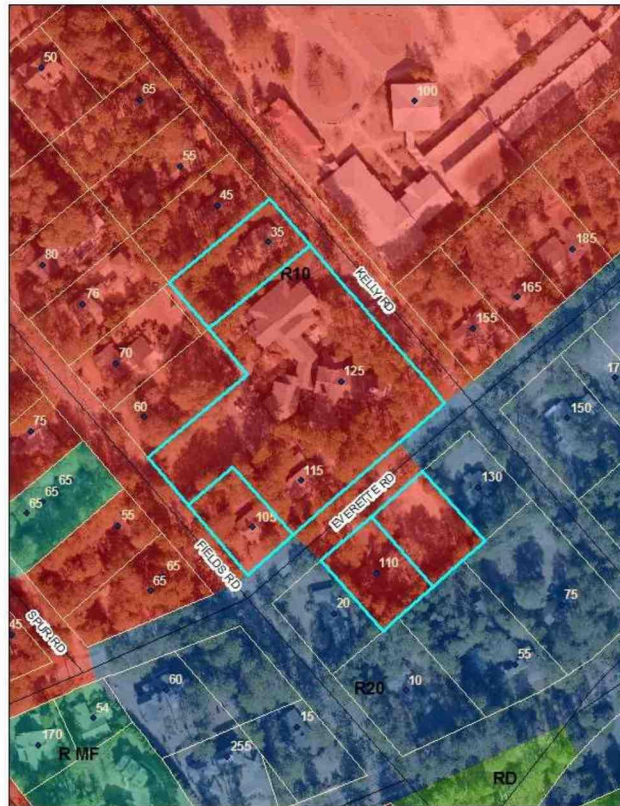
The granting of the conditional district rezoning with the submitted general concept plan, will allow the church to come into compliance with two key provisions of the Pinehurst Development Ordinance (PDO). One is the number of required off street parking spaces and the other is parking lot landscaping and landscape buffers.

Analysis:

This property and the surrounding properties are all located within the corporate limits of Pinehurst and are zoned by Pinehurst.

This property is located within the Pinehurst Historic Preservation Overlay District. The Pinehurst Historic Preservation Commission has reviewed and issued a Certificate of Appropriateness for the covered entry addition and demolition of the structures that accompanied the previously approved general concept plan. The proposed amendment would not require any review or action by the Historic Preservation Commission.

The adjacent properties along Fields Rd. and Kelly Rd. are zoned R-10 and R-MF and contain single family homes, a small apartment building and Pinehurst Elementary School. The properties across Everett Rd. are zoned R-20 and contain single family residences.



Area Zoning Map

Request:

The applicant requests an amendment to the R-10 CD - Residential Conditional District (R-10-CD) of +/- 4.25 acres of property that was previously approved by Village Council on May 23, 2017. This proposed amendment is to change the required buffer along the adjacent property addressed as 60 Fields Rd. The original general concept plan that accompanied the approved rezoning showed a fence that allowed for a 30% reduction in the width along with planting area. The applicant is now proposing an arborvitae hedge in place of the fencing.





Example of Applicant's Proposal

Per section 6.2.3 of the PDO Effect of Approval/Changes to Conditional Districts: (B) Substantial Changes: Any substantial change to an approved General Concept Plan as noted below shall be reviewed by the Planning and Zoning Board and approved or denied by the Village Council as an amended Conditional District. The following changes to a CD General Concept Plan shall require approval by the Village Council: of the PDO,

- (8) When perimeter buffers and shown perimeter landscape areas are modified in any way except for like replacements of materials or planting stock.

Recommendation:

The Planning Staff recommends approval of the proposed buffer amendment to the conditional district zoning as submitted.

Based on the surrounding properties and proposed use of buffering material, staff feels the proposal would be consistent with the existing adjacent area and result in equal or better performance.

Comprehensive Plan Consistency Statement:

Page 18 of the 2010 Comprehensive Long Range indicates that some major strategies of the village in both the business and residential area are to enhance landscaping, shield/buffer/screen parking areas from adjacent roads.

This proposal takes into consideration that places of worship are certainly a community need and allowing this established church to add needed additional parking and become more compliant regarding parking and landscape standards is therefore deemed to be in accordance with the 2010 Comprehensive Plan. Achieving

goals in accordance with the Comprehensive Plan is considered reasonable and in the best interest of the public.



PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT

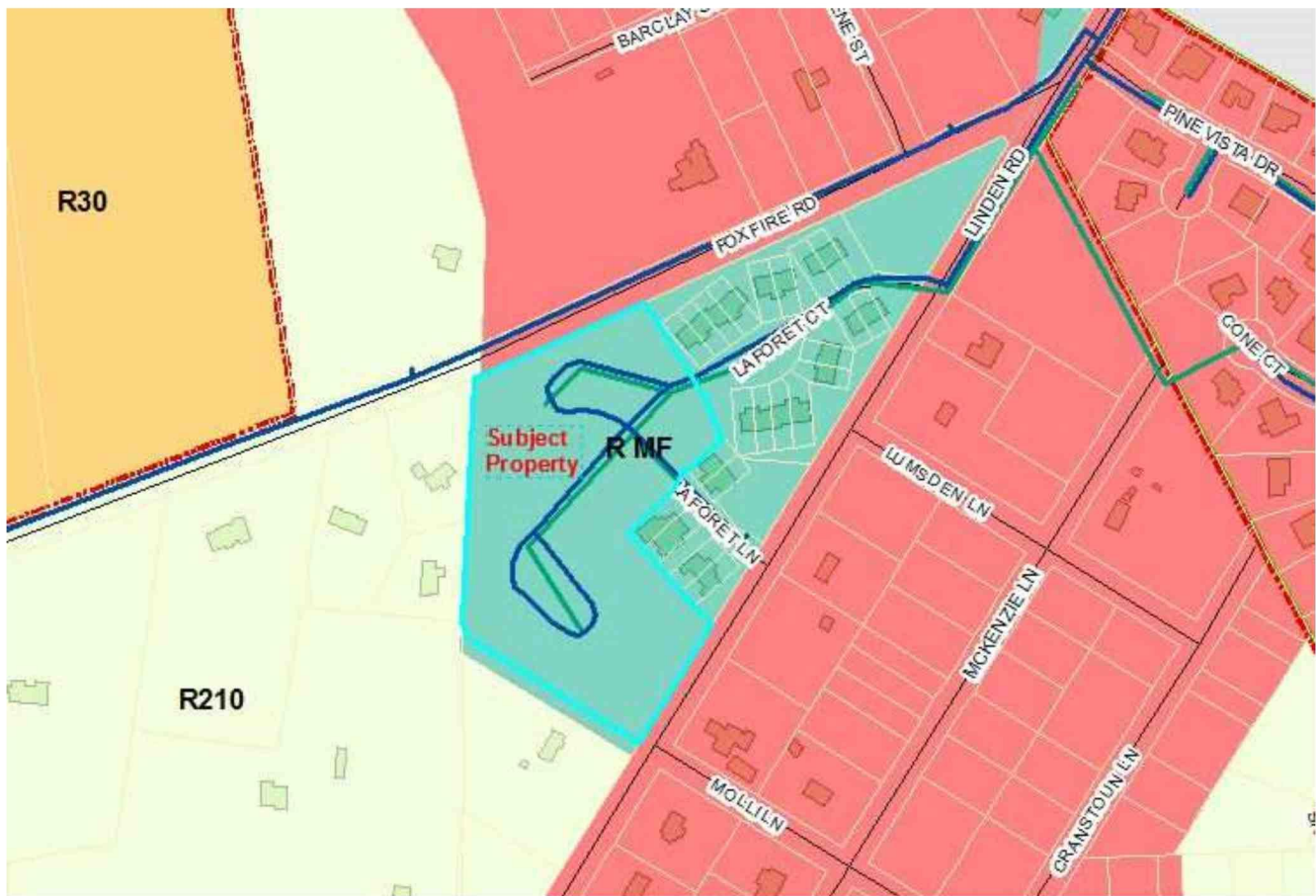
To: Planning and Zoning Board
From: Alex Cameron, Senior Planner
Cc: Natalie Hawkins, Assistant Village Manager
Date: November 29, 2018
Subject: Staff Report for Proposed Major Site Plan

Request

The applicant requests a Major Site Plan approval in order to allow for a 40 unit townhome project off Laforet Ln and Laforet Ct. The property is located between Foxfire Rd. and Linden Rd. In accordance with Section 9.16.1.5 of the Pinehurst Development Ordinance, all proposed Major Site Plans are reviewed by the Planning & Zoning Board and a Public Hearing is to be held. The Planning & Zoning Board must then submit its recommendation on the proposed major site plan to the Village Council.

Project Profile

Applicant:	R & M Commercial Real Estate, LLC
Owner:	Planet Development, LLC
Property Location:	Foxfire Rd./Linden Rd. & Laforet Ct./Laforet Ln.
Zoning:	R-MF The 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.
Land Area	± 6.95 Acres
Current Land Use:	Vacant with public water and sewer improvements that were installed previously.



Vicinity Map

Project Analysis

The proposed Major Site Plan includes the development of 40 townhome units and related infrastructure. The subject property is adjacent to a townhome development previously approved by Moore County. It's unclear if this site was a separate phase that was never completed, however, water and sewer was installed throughout the site. The property is currently located outside the corporate limits but inside the Village's ETJ.

The proposal includes a connection to Linden Rd. through Laforet Ln., an existing private drive. An agreement between the developer and the property owner's associated would be needed in order to access the site from this drive. An additional access to the site is provided per a driveway connection with Foxfire Rd.

The proposal does not include any sidewalks other than for pedestrian movement from parking areas to the buildings and mail kiosk.

The property does not contain any wetlands and is not located within any floodplain.

This project is located within the WS-II Drowning Creek – Lumber River BW watershed protection area. However, since there is existing development prior to June 21, 1993 the property is not subject to further restrictions if it follows the originally approved plan.

The site is bounded to the north, east and south by single family lots which are currently zoned R-10. The site is bounded to the east by single family development currently zoned R-5. It's also bounded to the south and west by single family development zoned R-210.

Infrastructure and Zoning Criteria

The plan meets the maximum density of 6 units per acre. Tax records indicate that the property is 6.95 acres which would equal an approximate density of +/- 5.75 units per acre.

The maximum allowed impervious surface coverage in the R-MF Zoning District is 60%. The plan does not indicate if this requirement will be met.

The plan indicates a 25' rear setback along the entire property line.

Landscape buffers are required along the perimeter of the development and are shown on the general concept plan. However, per the PDO a 20' buffer will be required along the southwest adjacent single family residential property line and not a 10' buffer as shown on the plan.

The proposal shows public water and sewer per a plan that was previously approved by Moore County and installed. Moore County Public Utilities has indicated that the conceptual proposal is acceptable so long as the buildings will go where they were originally approved. However, there appears to be an issue with one water main being shown too close to a proposed townhome unit on the general concept plan.

The applicant is proposing internal streets and parking as shown on the plan. All streets and parking will have to be constructed in accordance with the Village of Pinehurst Engineering Standards Specifications Manual (ESSM), the PDO as well as meet the requirements for emergency services vehicles. The applicant is asking for a waiver from section 3.02a of the ESSM which requires streets to be curb and gutter to allow the new streets to be in keeping with existing in the adjacent development.

The applicant is asking for an exception to provide a pre and post stormwater control measure and allow for sheet flow for soil infiltration. However, the general concept plan does indicate one potential stormwater control measure on the western part of the site if an exception is not provided. If an exception is not granted, the system will need to be designed and constructed in accordance with the NCDEQ Stormwater Design Manual and the ESSM and may be subject to change to meet those requirements.

A Soil and Erosion Control Permit will need to be obtained from NCDEQ since the area of disturbance is more than one acre.

Staff Recommendation

In response to the requested waiver for the curb and gutter street requirement of the , Planning staff, the Assistant Village Manager of Operations and the Village Engineer have no concerns as long as side ditches are designed and installed. This would be consistent due to the lack of curb and gutter in the existing development.

In response to the requested waiver to meet pre and post stormwater runoff requirements, the Assistant Village Manager of Operations and Village Engineer do not recommend only allowing sheet flow and soil infiltration. Recommendation would be to show the basin as is on the plan with a note that smaller stormwater measures may be utilized in select areas pending the results of a geotechnical engineering report for the site.

The revised general concept plan was received on November 19th. Due to the timing of the submittal staff and other members of the Technical Review Committee (TRC) reviewed the plans and sent comments to the applicant on November 28th (attached). The TRC recommends these comments be addressed prior to action by the board to ensure the project complies with the applicable codes and ordinances.

TRC Comments:

November 27, 2018

Kevin Lindsay
Crawford Design Company
116 N. Cool Spring St. Fayetteville, NC 28301
230 W. Pennsylvania Ave. Suite C Southern Pines, NC 28387

From: Alex Cameron, Senior Planner

RE: La Foret Townhome, General Concept Plan 3rd Review Comments

The following are review comments for the above-mentioned project. Please make the appropriate corrections to the plans, applications and/or supplemented materials and submit four complete set of revisions for review. As part of the next submittal please include written responses to these comments and answer any questions that may have been asked as a part of these comments. If you have specific questions regarding any of these comments please address them to the commenting party or contact me about the issue. Staff would be happy to meet with you or your development team to go over these comments to assist with the next submittal.

Comments of Alex Cameron, Village Planner

1. Under General Concept Notes, note number 8 still shows 44 units. Please revise.
2. Please provide estimated impervious surface coverage calculation for the project site.
3. The buffer along the southwest side of the site that abuts an adjacent residential use should be 20' wide not 10' wide.
4. Please note that the area is not within an active RCW habitat or cluster area.
5. An agreement would be needed from the La Foret West Homeowners Association in order to access the site from La Foret Ln. as it is a private drive. Has an agreement been worked out pending site plan approval?
6. Is the property under contract to purchase? If so, please provide information from the current property owner authorizing the applicant to pursue the application for a Major Site Plan.
7. Additional comments may follow upon receipt of an updated submittal.

Comments of Mike Apke, Consulting Village Engineer

1. General Concept Note #10 states that the ISO Fire Flow requirement is estimated to be 2,000 GPM. Per Appendix C of the Pinehurst Development Ordinance (PDO), please provide calculations demonstrating how this estimate was calculated. Also, please note that Village hydrant test records for this area indicate available flows of less than 1,000 GPM. I recommend requesting a current hydrant test from Moore County, followed by a meeting with the Fire Department to review the ISO calculations and hydrant test results to determine if additional improvements are needed to meet Needed Fire Flow requirements.
2. Appendix C of the PDO requires existing and proposed easements to be shown on the General Concept Plan. Are existing easements in place for the water and sewer lines, and if not, can easements be recorded as part of this project?
3. We recommend showing the Village standard sight triangle easements on the Plan at the proposed intersection with Foxfire Road.
4. The corner of one proposed building appears to be located approximately one (1) foot from an existing water main. Will the water main be relocated in this area to accommodate the construction and allow for proper easement areas for maintenance?
5. Have any condition assessments been performed on the existing water or sewer lines to confirm functionality? The previous water and sewer plans provided to our office indicate that these lines were constructed approximately 33 years ago, and the sewer lines in particular have not accommodated sewer flow in some areas since they were constructed.
6. The previous water and sewer plans provided to our office showed water lines extending to the northern portion of the site that are not shown on the Concept Plan. Do these lines exist, and if not, how will the units on the northern portion of the site (near Foxfire Road) be served by water?
7. Appendix C of the PDO requires the size of existing utilities to be provided on the General Concept Plan. Please add the size of the existing water mains (2" and 6" per previous plans provided) and sewer lines (8" and 10" per previous plans provided) to the Plan.
8. It's my understanding that multifamily dwellings with four (4) or more units must meet certain accessibility requirements to comply with the Fair Housing Act. The Concept Plan does not provide for any handicap parking in front of the 5 units where outside parking is proposed. Does this comply with ADA requirements and/or the Fair Housing Act?
9. Per the PDO, all parking spaces shall be provided with either curbing or a tire stop. It is unclear on the General Concept Plan which will be provided. Please clarify or add a note to the plans that either curbing or a tire stop will be provided at each parking space.

10. NCDOT will ultimately need to issue a driveway permit for the new drive on Foxfire Road. Has any communication been held with NCDOT to confirm that the proposed driveway location is acceptable? If not, we recommend making contact with NCDOT now to verify concurrence with the driveway location, and to determine if they will require any improvements to the existing driveway off of Linden Road.
11. The proposed southern entrance will connect to a private road owned (per Moore County GIS) by the La Foret Townhome West Association. Has permission been granted from the Association to allow the use of this private driveway for the future development?
12. Appendix C of the PDO requires proposed topography to be shown on the General Concept Plan. Only existing topography is shown on the submitted Plan.
13. The Concept Plan includes a wavy line that appears to be the proposed tree line? Please label, as it appears to show that the proposed stormwater areas will be located in areas that are not cleared.
14. The Concept Plan includes numerous small circles that are not labeled. Please clarify and label on the Plan. The addition of a Legend would be helpful to comply with this comment.
15. Is the existing 93.14' parcel line near existing Unit 6 on La Foret Lane intentionally shown with a lighter line type than the other property boundaries? If not, please modify to make the line type consistent with other boundary lines.
16. Additional comments may follow upon receipt of an updated submittal.

Comments of Floyd Fritz, Deputy Chief PFD

1. Note that 20 foot all weather access roads capable of supporting responding apparatus will be required.
2. Verify that fire hydrants are located within 300 feet of all portions of all buildings (new hydrants will have 5" Storz connection on steamer port)
3. Verify fire apparatus turning radius through site – 30 degree template

Comments of Leonard McBryde, Moore County Engineer

1. The water and sewer layout appear to be different on the submitted plan from the recorded improvement plans from 1985. A locate for the water and sewer and survey marking may be necessary to mark the existing utilities and better reflect on the plans.

Comments of Scott Thomas, Chief Building Official

No Comments at this time.

*** End of Third General Concept Plan Review***



**PLANNING AND ZONING BOARD
NOVEMBER 1, 2018
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:00 PM**

MINUTES

BOARD MEMBERS IN ATTENDANCE:

Leo Santowasso, Chair
David Kelley, Vice-Chair
Mike Marsh, Board Member
Cyndie Burnett, Board Member
Jeramy Hooper, Board Member
Julia Latham, Board Member
Joel Shriberg, Board Member

BOARD MEMBERS ABSENT:

Jeff Haarlow, Board Member
Myles Larsen, Board Member

STAFF IN ATTENDANCE:

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

I. Call to Order

Chair Leo Santowasso confirmed that there was quorum present and called the meeting to Order

II. Approval of Minutes

A. October 4, 2018

David Kelley made a motion to approve the October 4, 2018 minutes as amended; Mike Marsh seconded the motion, which was unanimously approved.

III. New Business:

Chair Santowasso welcomed and introduced Jeramy Hooper as a new member of the Board.

A. Public Hearing No. 2

To consider a request by request by R & M Commercial Real Estate, LLC for a Major Subdivision Review in order to construct a 20 lot single family subdivision. This property is identified as Moore County PID#'s 00054822 & 00052077 and is located at Floyd Way near the intersection with Starlit Ln.

Upon a motion by David Kelley, seconded by Cyndie Burnett, the Board unanimously agreed to recess its regular meeting and enter into Public Hearing No. 2.

Chair Santowasso stated that the applicant, R & M Commercial Real Estate, LLC, has requested its submittal for a Major Subdivision Review in order to construct a 20 lot single family subdivision located at Floyd Way near the intersections with Starlit Lane not be considered at today's meeting.

Several members of the audience asked questions or made comments regarding increased traffic, and storm water run-off. Some members complained about not receiving notices of the meeting. One member of the audience asked why the meeting was cancelled. Chair Santowasso stated that the Board was informed this afternoon that the applicant wished to withdraw their application.

Chair Santowasso stated that there were deficiencies in the application in regards to maximum density, according to the material required under Appendix C, which is for general concept plans, which would be considered for this application.

Alex Cameron responded to audience members that the Board packets and agenda are posted on our website the Friday before the Thursday scheduled meeting.

No action was taken by the Board on Public Hearing #2.

David Kelley made a motion to close the public hearing, Julia Latham seconded the motion, which was unanimously approved.

This request may be heard at a later regularly scheduled Planning and Zoning Board meeting; provided that a complete resubmittal of the plans are received by staff in due time to advertise the proposed Major Subdivision.

A complete recording and videotape of this meeting is available on our website at www.vopnc.org.

B. Public Hearing No. 1

Upon a motion by Julia Latham, seconded by Joel Shriberg, the Board unanimously agreed to recess its regular meeting and enter into Public Hearing No. 1.

To consider a request by request by R & M Commercial Real Estate, LLC for a Major Site Plan Review in order to construct a 40 unit townhome development. This property is identified as Moore County PID# 98000634 and is located at Laforet Ln. and Laforet Ct. near the intersection of Foxfire Rd. and Linden Rd.

Chair Santowasso asked the Board members if they had any conflicts regarding this case. The Board unanimously replied no.

Alex Cameron, Senior Planner stated that adjoining property owners were notified, properties were properly posted and read portions of the staff report into the record.

Kevin Lindsay, Engineer, for R & M Commercial Real Estate, was present to answer any questions or address any concerns of the Board.

Several audience members stated their concerns regarding this project.

Staff has recommended that the applicant address the following issues before any action is taken by the Board.

- 1. Maximum allowed density per table 9.2 a,*
- 2. Provide proposed impervious surface calculations,*
- 3. Possible setback encroachment with the unit near the northeast part of the site,*
- 4. Buffer requirement along the southwest property line,*
- 5. Provide ISO calculations,*
- 6. Provide a trip generation per ITE standards.*

Upon a motion by Mike Marsh and seconded by David Kelley; the Board unanimously agreed to close Public Hearing #1 and re-enter into its regular meeting.

Chair Santowasso discussed the deficiencies in the plans to include the 6 staff recommendations. Numbers 5 and 6 were delivered tonight. Appendix C requirements that have not been compiled with are the dimensions of the units, the number of stories, and the height of the units, are there any existing easements for the water and sewer mains. Existing entrance for Phase II is not up to current standards and Chair Santowasso is asking that the intersection be improved to the existing standards.

Some board members were reluctant on voting on this case until more information is provided. David Kelley asked that the plans are submitted to include the PDO requirements.

After discussion about the concerns of the Board about deficiencies in the plans having only one entrance and one exit and the staff recommendation, Joel Shriberg made a motion to continue the meeting until the regular Planning and Zoning Board meeting scheduled on December 6, 2018, with a resubmittal to staff to be turned in no later than November 14, 2018 by noon. David Kelley seconded the motion, which was unanimously approved.

Chair Santowasso encouraged the applicant and engineer to meet with staff to provide more definitive information.

A complete recording and videotape of this meeting is available on our website at www.vopnc.org.

IV. Old Business

Clear Cutting

The Sub-Committee includes; Cyndie Burnett, Mike Apke, Joel Shriberg, Leo Santowasso, Alex Cameron and perhaps Natalie Hawkins. Chair Santowasso asked the members if they could meet on November 7, 2018 at 3:30.

Minimum Heated Square Footage for Apartments, Condos and Townhomes

The Sub-Committee decided on the following minimum heated square footage to recommend for inclusion in a proposed amendment to the PDO:

*750 square feet – 1 bedroom
1,000 square feet – 2 bedroom
1,250 square feet – 3 bedroom*

V. New Business

2019 Meeting Schedule:

The board agreed to change the existing meeting schedule of the first Thursday of each month in 2019 to include moving the July 4, 2019 meeting to July 11, 2019.

VI. Next Meeting Date:

A. December 6, 2018

VII. Motion to Adjourn

David Kelley made a motion to adjourn. Julia Latham seconded the motion, which was unanimously approved. The meeting adjourned at 6:00 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: Service, Initiative, Teamwork, and Improvement.*