



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Sandhills Sub Office
Post Office Box 119
Southern Pines, N. C. 28388

October 22, 2020

Jeanette Sabo
Dr. J.H. Carter III & Associates, Inc.
P.O. Box 891
Southern Pines, North Carolina 28388

Re: Legacy Lakes Cottages, LLC Project (LRKs: 46287 & 46241), Pinehurst, Moore County, North Carolina

Dear Ms. Sabo:

This is in response to your request on behalf of your client for an assessment of any potential impacts to red-cockaded woodpeckers (*Dryobates borealis* = *Picoides borealis*) associated with the development of the subject properties. The U.S. Fish and Wildlife Service (Service) offers the following comments in support of Section 9 of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) (Act) and the Service's Private Lands Guidelines found in Appendix 5 of the Service's Recovery plan for the red-cockaded woodpecker (*Picoides borealis*): second revision (U.S. Fish and Wildlife Service 2003).

The purpose of the proposed project is to construct a single-family residential community consisting of 38 residential lots ranging in size from 0.14 to 0.47 acres per lot, with an access road on Blake Boulevard and an emergency exit on Olivia Lane and a stormwater retention pond on approximately 14.4 acres. The project site is located east of NC Highway 5, north of Olivia Lane and south of Blake Boulevard in Pinehurst, Moore County, North Carolina. This current project is a scaled down version from a previous proposed project that consisted of 145 home sites and associated amenities on approximately 42 acres.

Based upon surveys completed by staff of Dr. J.H. Carter and Associates Inc. in August of 2019 and October of 2020 of the project site and a half-mile radius around the project site, there were no red-cockaded woodpecker cavity trees or Michaux's sumac (*Rhus michauxii*) found on or adjacent to the these properties. The project area occurs partially within the foraging partition for active red-cockaded woodpecker cluster SOPI 108 and within a half-mile of inactive red-cockaded woodpecker cluster SOPI 69/113 and abandoned red-cockaded woodpecker clusters SOPI 54. No suitable or potentially suitable red-cockaded woodpecker habitat will be impacted.

Recovery efforts for this species are underway and may result in groups becoming reestablished in areas currently unoccupied by this species. The cumulative loss of foraging and nesting habitat caused by residential and commercial construction is one of the primary threats to the continued existence of the red-cockaded woodpecker in the Pinehurst/Southern Pines area. Therefore, as plans are made to develop these properties, I encourage your client to minimize the removal of mature longleaf pine trees greater than 8 inches in diameter, take measures to prevent damage to the bole and root system of the remaining longleaf pines and to landscape with plant species native to the Sandhills ecosystem.

While the Service has determined that the project, as proposed, is not likely to result in a “take” of red-cockaded woodpecker habitat, this determination must be reconsidered if the project design is subsequently modified in a manner which was not addressed in this report, or if new information becomes available. Therefore, based on the information provided, you have satisfied Fish and Wildlife Service guidelines related to red-cockaded woodpecker responsibilities under the Endangered Species Act. If you have any questions regarding the comments in this letter, please contact me at (910) 695-3323 ext. 10.

Sincerely,

A handwritten signature in blue ink that reads "Susan Ladd Miller". The signature is written in a cursive, flowing style.

Susan Ladd Miller
Fish and Wildlife Biologist



Village of Pinehurst
SUBDIVISION REQUIREMENTS CHECKLIST (MAJOR AND MINOR) – APPENDIX E

Project Name:	Pinehurst South Cottages	
Applicant Name:	Cottages at Legacy Lakes, LLC	
Date Application Originally Received:		
Version Number:		
Version Date:		

Information required for MAJOR AND MINOR SUBDIVISIONS:	Rec'd & Complete	Revisions Required
A. General Rules for Mapping and Graphics:		
1. All maps shall be drawn to scale and the scale shall be not less than 1"=200'. An index plan shall be used where the subdivision is shown on more than one sheet;	✓	
2. Prints may be blue-line or black-line, and map size shall be 24"x36", except that final plats shall conform to the dimensional requirements of the Moore County Review Officer and Register of Deeds;	✓	
3. All preliminary and final plats shall be prepared by a registered land surveyor of the State of North Carolina or a licensed Engineer of the State of North Carolina in accordance with North Carolina General Statutes §47-30.	✓	
B. Information Required for Major and Minor Preliminary Subdivisions:		
1. Title block containing the name of the subdivision. Include previous names for approved subdivisions (if any), date and revision date(s);	✓	
2. Name and owner of the tract, surveyor, engineer and/or land planner, their addresses, business telephone, and fax numbers, and professional registration numbers (if any);	✓	
3. North arrow and scale	✓	
4. Zoning of the tract;	✓	
5. Acreage of tract;	✓	
6. Acreage of dedicated open space;	✓	
7. The total number of lots proposed;	✓	
8. Smallest lot;	✓	
9. Total linear feet in streets as measured along the center line;	✓	
10. Setbacks: Provide a table of minimum building setbacks, including:	✓	
a. Front yard setback;	✓	
b. Side yard setbacks;	✓	
c. Any required landscaped or watershed buffers and other required setbacks or buffers;	✓	
d. Rear yard setback;	✓	
e. Corner yard setback;	✓	
11. The location on the property of all existing and proposed property lines, easements, political boundary lines, streets, buildings, water courses, railroads, transmission lines, sewers, bridges, culverts and drain pipes, water mains, and properties of historic or cultural significance;	✓	
12. Buildable area per lot, in square feet;	✓	
13. Area to be covered by impervious surface for the project;	✓	
14. Provide on plans, a listing of all approved conditions of the conditional zoning district, if applicable;	NA	
15. Indicate the names of adjoining property owners or subdivisions;	✓	

Information required for subdivisions:	Rec'd & Complete	Revisions Required
16. Indicate the zoning and existing land use of all adjoining properties;	✓	
17. Indicate the location of all property lines, lot numbers, and lot dimensions. Indicate the location of the existing property boundaries and the location of intersecting lines of adjoining properties by metes and bounds;	✓	
18. Provide a tree survey showing the location of any buffers and trees therein required under the provisions of this Ordinance and the location of any special environmentally sensitive areas affecting the subdivision, including a foraging study for the Red-Cockaded Woodpecker, wetlands, and floodplains and showing specimen trees as defined in the landscape section 9.5.1.8;	✓	
19. Indicate the location of proposed parks, school sites, or other open space, if any. Indicate if the property is private or public. If public, indicate if it is proposed to be dedicated to the Village.	NA	
20. Where required, indicate proposed streets, sidewalks, traffic control devices, street names, rights-of-way, roadway widths and approximate grades. Indicate if the streets are to be public or private. Show typical cross sections. Street names are to be coordinated with 911 for duplication of names;	✓	
21. Provide a grading plan delineating existing ground contours at two (2) foot intervals relative to sea level and proposed contours to be followed as part of the development plan. A full topographic survey and grid of the site is not required;	✓	
22. Submit a sketch vicinity map showing the proposed subdivisions in relationship to surrounding property and streets;	✓	
23. Provide a plan showing the location, general type, and number of plantings required in the perimeter buffer, streetscape, and other required landscaping areas;	NA	
24. Trip generation based on ITE Standards and the Village Engineering Standards and Specifications Manual for the proposed uses along with proposed roadway/signal improvements for the development proposal.	✓	
25. Indicate driveway locations on adjacent properties along and across adjacent rights-of-way.	✓	
26. Any other information the Village Planner may deem reasonable and necessary to determine compliance with this Ordinance.		



PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT

To: Planning and Zoning Board
From: Alex Cameron, Senior Planner
Cc: Darryn Burich, Director of Planning and Inspections
Kelly Brown, Planning Administrative Specialist and Clerk to the Board
Date: October 28, 2020
Subject: Staff Report for Proposed Pinehurst South Cottages Major Subdivision

Applicant:	The Cottages at Legacy Lakes, LLC
Owner:	The Cottages at Legacy Lakes, LLC
Property Location:	South of Blake Boulevard, East of NC Hwy 5 and North of Olivia Lane
Zoning:	R-5 Residential District (larger portion) 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. NC Neighborhood Commercial District (smaller portion) is established as a district in which the principal use of land is for small scale commercial, retail, office and service uses to serve the surrounding residential districts. This district is further intended to discourage any use which would be detrimental to the predominately low-intensity commercial nature of the areas included within the district.
Land Area	± 14.4 Acres
Current Land Use:	Vacant – High Density Residential
Proposed Land Use:	High Density Residential with proposed development of a 37 lot single family residential subdivision.

Background and Analysis

The applicant requests a major subdivision approval to allow for a 42 lot subdivision with 38 lots to be developed as single family lots and the remaining are to be undeveloped and under ownership of the homeowners association. The subject property is located within the Village's extraterritorial jurisdiction (ETJ) and just outside of the Village's corporate limits. In accordance with Section 9.17.1.3 of the Pinehurst Development Ordinance (PDO), all proposed major subdivisions are reviewed by the Planning & Zoning Board and a public hearing is to be held. The Planning & Zoning Board must then submit a recommendation on the proposed major subdivision to the Village Council.

There are two parent tracts of this proposed subdivision. The smaller tract of this subdivision is identified as Moore County PID# 00046241 and abuts Blake Boulevard. Earlier this year, the applicant subdivided a 1.3 acre parcel off of this parent tract and is being used to gain access to Blake Boulevard from the proposed subdivision. The other parent tract is identified as Moore County PID# 00046287 and is approximately 13 acres in size. This tract abuts Olivia Lane and two existing single family lots which also front on Olivia Lane. Olivia Lane is currently being used by the Village of Pinehurst to provide emergency access to the rear of the lots in The Country Club of North Carolina (CCNC) only. The Village currently has an agreement with the Aberdeen Carolina and Western Railway Company to use the crossing at the railroad adjacent to NC Hwy 5 for this sole purpose. The ownership of Olivia Lane is in question and has yet to be determined.

The subject area is located just outside of the Village's corporate limits and within the Village's ETJ. The applicant has indicated that they plan to petition for voluntary annexation into the Village's corporate limits. The proposed subdivision is adjacent to various land uses and zoning (see the table below and the attached zoning map).

Adjacent Land Uses and Zoning		
Area	Existing Uses	Zoning
North	Senior Living/Retirement and Health & Rehabilitation Center	NC
South	Single Family Residential and Vacant (CCNC)	R-210
East	Single Family Residential and Vacant (CCNC)	R-210
West	Vacant Commercial and Office	NC & OP
Comprehensive Plan Land Use Designation		
Focus Area 2 Highway 5 Commercial Area – Mixed Use-Stacked Residential		

The 2019 Comprehensive Plan identifies this area as Focus Area 2: Highway 5 Commercial Area. The Comprehensive Plan recommends that a small area plan be developed for this area with additional public input to ensure high quality development and consider the need for mixed-uses with a primary focus on office, medical, life science and research facilities with small scale retail services which could create an "Innovation Hub". The plan also includes considering a residential component as well above the first floor. The proposed single family subdivision is not consistent with the Comprehensive Plan however, it is compliant with the existing zoning.

The proposed subdivision would create 38 new single family lots. The smallest lot is shown to be 6,054 square feet in size which exceeds the minimum lot size requirement of 5,000 square feet in the R-5 zoning district. The proposed typical lot size is approximately 6,600 square foot in size and would allow for approximately 2,800 square feet of buildable area. The building setbacks as shown on the table below would apply to all of the single family lots and shall be adhered to when the individual homes are built. The property is not located within a watershed protection area thus there are no further limits on the development intensity or maximum coverage of impervious surface for these properties. There is no option to develop a residential open space subdivision in R-5 zoning district. The proposal does include other lots which will consist of open space or undeveloped parcels, stormwater management area and sanitary sewer pump station. The lift station and lot (38 on the plat) is proposed to be turned over to Moore County Public Works for ownership while the other lots are to be owned and maintained by the homeowners association (HOA). Each lot will meet the dimensional criteria of the R-5 zoning district as shown in the table below.

R-5 Zoning District Dimensional Requirements	
Minimum Lot Size	5,000 square feet
Maximum Building Height	35 feet
Maximum Lot Covered by Impervious Surface	45%
Building Setbacks	
Principal Building Front Setback	20 feet
Principal Building Side Setback	10 feet
Principal Building Side Street Setback	15 feet
Principal Building Rear Setback	20 feet
Accessory Building Side Setback	5 feet
Accessory Building Side Street Setback	15 feet
Accessory Building Rear Setback	10 feet
NC Zoning District Dimensional Requirements	
Minimum Lot Size	10,000 square feet
Maximum Building Height	35 feet
Maximum Lot Covered by Impervious Surface	70%
Building Setbacks	
Principal Building Front Setback	25 feet
Principal Building Side Setback	10 feet
Principal Building Side Street Setback	15 feet
Principal Building Rear Setback	20 feet
Accessory Building Side Setback	10 feet
Accessory Building Side Street Setback	15 feet
Accessory Building Rear Setback	10 feet

Subdivision Standards

Subdivision layout and design are reviewed for compliance with Section 9.17.1.12 of the PDO and the Technical Review Committee (TRC) has been reviewing this proposed major subdivision for compliance with the PDO and the Village of Pinehurst Engineering Standards and Specifications Manual (ESSM).

The applicant is proposing internal streets within a 60' right of way, 24' street width and a 49' cul-de-sac radius. The approximate total length of all the internal streets is 2,161 linear feet. The applicant is proposing to use concrete valley gutter in lieu of concrete curb and gutter which will require a waiver of the standards in the ESSM and can only be granted by Village Council. Access to the subdivision will be from a connection to Blake Boulevard, a Village owned right-of-way. A future 60' right-of-way is shown to be preserved adjacent to the neighboring property that borders Arnette Street, a North Carolina Department of Transportation (NCDOT) maintained road. This could provide for the future extension of Arnette Street and could provide reasonable means of ingress and egress for the surrounding properties. A turnaround capable for large vehicles is also provided within that right-of-way (between lots #14 & #41). All streets will be required to be constructed in accordance with the Village's ESSM as well as meet the requirements for emergency services vehicles. A 20' gated emergency vehicle access from Olivia Lane is being provided as shown on the preliminary plat. The applicant intends for the streets to be public and can only be accepted as such by Village Council after they are constructed and inspected to ensure they meet the Village's requirements.

Street trees will be required at a rate of one large hardwood or pine per 40 linear feet of road frontage minus driveways. The approximate location of the street trees are depicted on the plat. Other than the required street trees, the only other shown and required landscaping is an evergreen landscape screen around the pump station lot and is also depicted on the preliminary plat. A landscape plan will be need to be submitted and approved at the construction drawing phase prior to development and final plat approval.

Sidewalks are required to be installed along one side of all new streets serving residential lots and on both sides of non-residential lots. Sidewalks are shown on both sides of all streets with the subdivisions and are shown on the submitted plans.

A 30' wide pedestrian and storm drainage easement is shown between lots #3 and #4. This pedestrian easement could allow for pedestrian access to the adjacent commercial zoned property as it gets developed in the future.

The proposal includes public water and sewer to the lots that will be served by Moore County Public Works. The applicant has provided a separate proposed utility layout plan and is included with this submittal. The current plan indicates stormwater control measures on-site and is depicted on the preliminary plat on Lot 39. The stormwater system will be designed and constructed in accordance with the Village's ESSM and may be subject to change to meet those requirements. The applicant indicates that a homeowners association will be formed and will be responsible for maintaining all drainage pipes and structures located outside of the street right of ways.

Other Review Requirements

There is an active red-cockaded woodpecker (RCW) partition at the southeastern tip of the subject parcel. The applicant had previously provided an assessment from Dr. J.H. Carter III & Associates, Inc., Environmental Consultants, that state there would be no adverse impacts to the RCW. The applicant has now also provided concurrence from the United States Fish and Wildlife Service (USFWS) but encourages the applicant to minimize the removal of longleaf pines greater than 8” in diameter. A Soil and Erosion Control Permit will need to be obtained by the North Carolina Department of Environmental Quality (NCDEQ) prior to any development due to the area of disturbance exceeding one acre. There are no wetlands, streams or regulated bodies of water within the subject area.

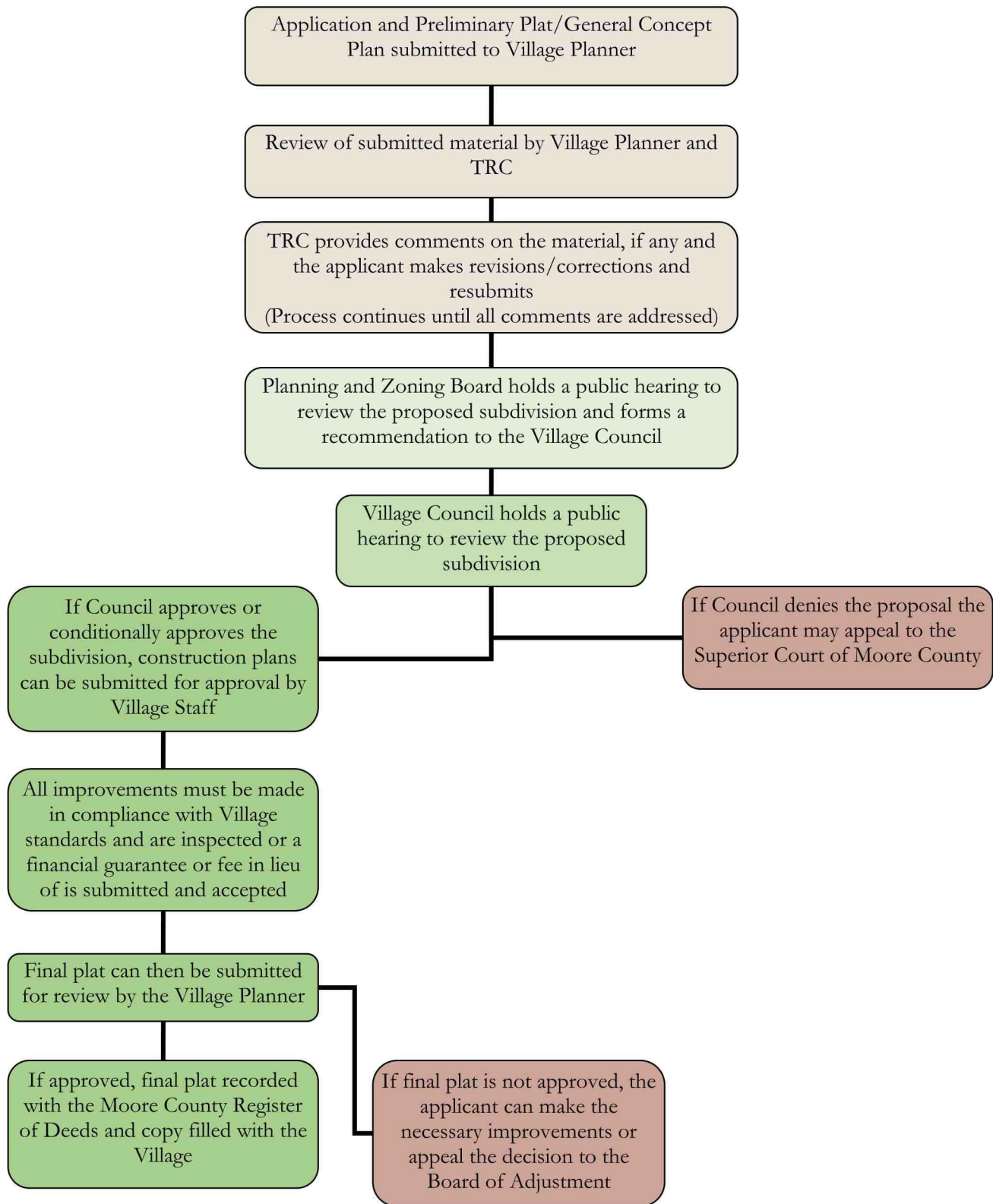
Review Process of Major Subdivisions

Approval of plats for major subdivisions is a multi-step process. An application, subdivision plat and other supplementary material is first submitted to the Village Planner. The Planner then distributes the material to the TRC for review. The TRC is made up of staff from the Village’s Planning and Inspections Department, Administration Department, Public Services and Engineering Department, Fire Department and Moore County Public Works. If there are any errors, omissions or other items that need to be addressed, the TRC provides comments to the applicant for revisions or clarification. The applicant then makes revisions and corrections to the material and resubmits. This process repeats until all items are addressed and the Village Planner schedules the subdivision for review by the Planning and Zoning Board. Public hearing notices are sent to adjacent property owners, sign(s) notifying the public hearing are posted on the subject property, and a public hearing notice is published in the newspaper.

The Planning and Zoning Board conducts a public hearing and reviews the proposed subdivision. The Planning and Zoning Board reviews the preliminary plat, the recommendations of the TRC (if any), and the requirements of the Ordinance and shall make a recommendation to the Village Council for appropriate action on the preliminary plat. The Planning and Zoning Board may request the applicant to revise the preliminary plat before it is submitted to the Village Council for approval.

Village Council will then conduct a public hearing and review the proposal along with the recommendation of the Planning and Zoning Board. Village Council can then approve, conditionally approve or reject the preliminary plat, along with recommendations for ways to revise the preliminary plat so that it could be approved. The Village Council must take action on the preliminary plat within 90 days of the first Village Council meeting which the application is placed on an agenda. Failure to act within 90 days is deemed an approval of the preliminary plat.

If approved, the applicant can then submit full construction drawings to the TRC for review and approval. Once approved, the applicant can begin to install the necessary improvements. A final plat will not be approved until the applicant has installed all the necessary improvements and such improvements have been inspected and ensured to be compliant or a financial guarantee has been put in place for the remaining items. After approval and recording of the final plat with the Moore County Register of Deeds, building permits may be issued for the individual lots.



Planning and Zoning Board Review and Action

The Village Planner will forward the submitted material on the proposed major subdivision along with the recommendation of the TRC to the Planning and Zoning Board. The Planning and Zoning Board shall conduct a public hearing on the proposal and review the material along with the recommendation of the TRC and the requirements of the PDO. The Planning and Zoning Board shall formulate a recommendation to the Village Council for action on the proposed subdivision. The Planning and Zoning Board may request the applicant revise the preliminary plat before it is submitted to Village Council for review.

Due to this meeting and public hearing being defined as a “remote meeting” by NCGS 166A-19.24, the Board must allow for a minimum of a 24 hour written public comment period following the public hearing before taking action. This means that the Board cannot take action on this proposed major subdivision immediately following the public hearing. The Board can recess the meeting to another date and time long enough to comply with the 24 hour requirement or decide to delay action until the next regular scheduled meeting. With either decision, the Board should ensure that a quorum can be met for the desired time and if the meeting is recessed, ensure that staff can secure a meeting space.

Staff and TRC Recommendation

The TRC has reviewed the proposed major subdivision and have issued comments to the applicant through four reviews of the preliminary plat and associated material. There are a few items that will need to be addressed and can be done at the time of submittal and prior to approval of construction drawings.

Moore County Public Works will need to perform a full hydraulic model on the water system based on the needed fire flow and water demand.

Another item of concern is the sight distance at the proposed intersection with Blake Boulevard. Section 3.02 of the ESSM requires that intersection sight distance shall at a minimum meet the criteria in the latest edition of the AASHTO “Greenbook”. The Village Engineer may modify this requirement on a case by case basis and recommends an analysis be provided by a licensed professional engineer with traffic engineering experience.

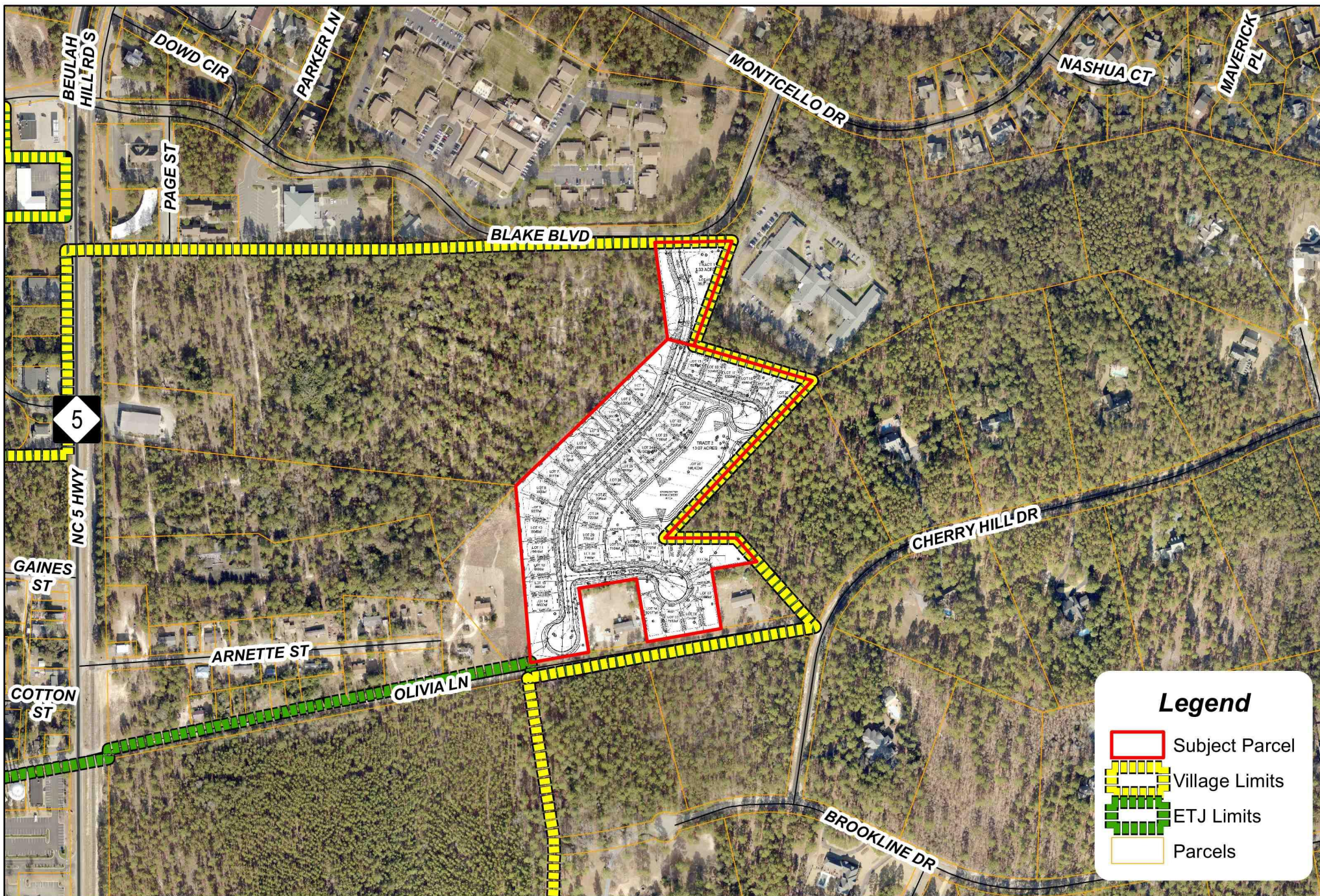
One very complicated item that has yet to be determined is the status of Olivia Lane. Specifically, its status as a right-of-way, ownership and the current lease agreement between Aberdeen Carolina and Western Railway Company (ACWR) and the Village. This is important due to the number of dwellings proposed (38) and how it impacts a second fire apparatus access for the subdivision as required by Appendix D of the North Carolina Fire Code (more than 30 dwelling units requires access from 2 directions). The current agreement between ACWR and the Village is for the sole purpose to serve the rear lots of CCNC, not this subdivision.

Therefore, staff and the TRC recommends approval of the preliminary plat with the following conditions:

- A. All dwelling units shall be equipped with a fire sprinkler suppression system as approved by the Village of Pinehurst Fire Marshall unless the Village's current lease agreement with the Aberdeen Carolina and Western Railway Company is renegotiated to permit emergency secondary access to the subdivision. Prior to approval of construction drawings, the applicant is to provide information acceptable to the Village that an emergency access drive can be connected to Olivia Lane.
- B. A sight distance analysis be performed and sealed by a qualified, licensed North Carolina Professional Engineer with transportation engineering experience for the proposed intersection with Blake Boulevard, to confirm compliance with the AASHTO and NCDOT requirements noted in the Village's ESSM as part of and prior to approval of the construction drawing submittal for this project.

Attachments:

- Aerial with Project Overlay
- Aerial with Transparent Project Overlay
- Area Zoning Map
- Aerial Map
- Environmental Map
- Adjacent Property Owner Notification of Public Hearing
- Labels of Adjacent Property Owners Notified
- Map of Adjacent Property Owners Notified

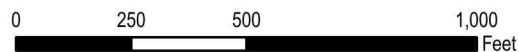


Legend

- Subject Parcel
- Village Limits
- ETJ Limits
- Parcels



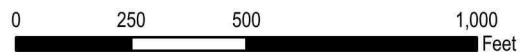
Pinehurst South Cottages Vicinity Map



8/25/2020
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 Village of Pinehurst Disclaimer: It is understood that the data contained herein is subject to constant change and that its accuracy cannot be guaranteed.
 The data is provided to you "as is" with no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness or completeness of any of the information provided herein.
 It is the responsibility of the user of the data to be aware of the data's limitations and to utilize the data in an appropriate manner.
 Any resale of this data is strictly prohibited in accordance with North Carolina General Statutes 132-10.
 Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).

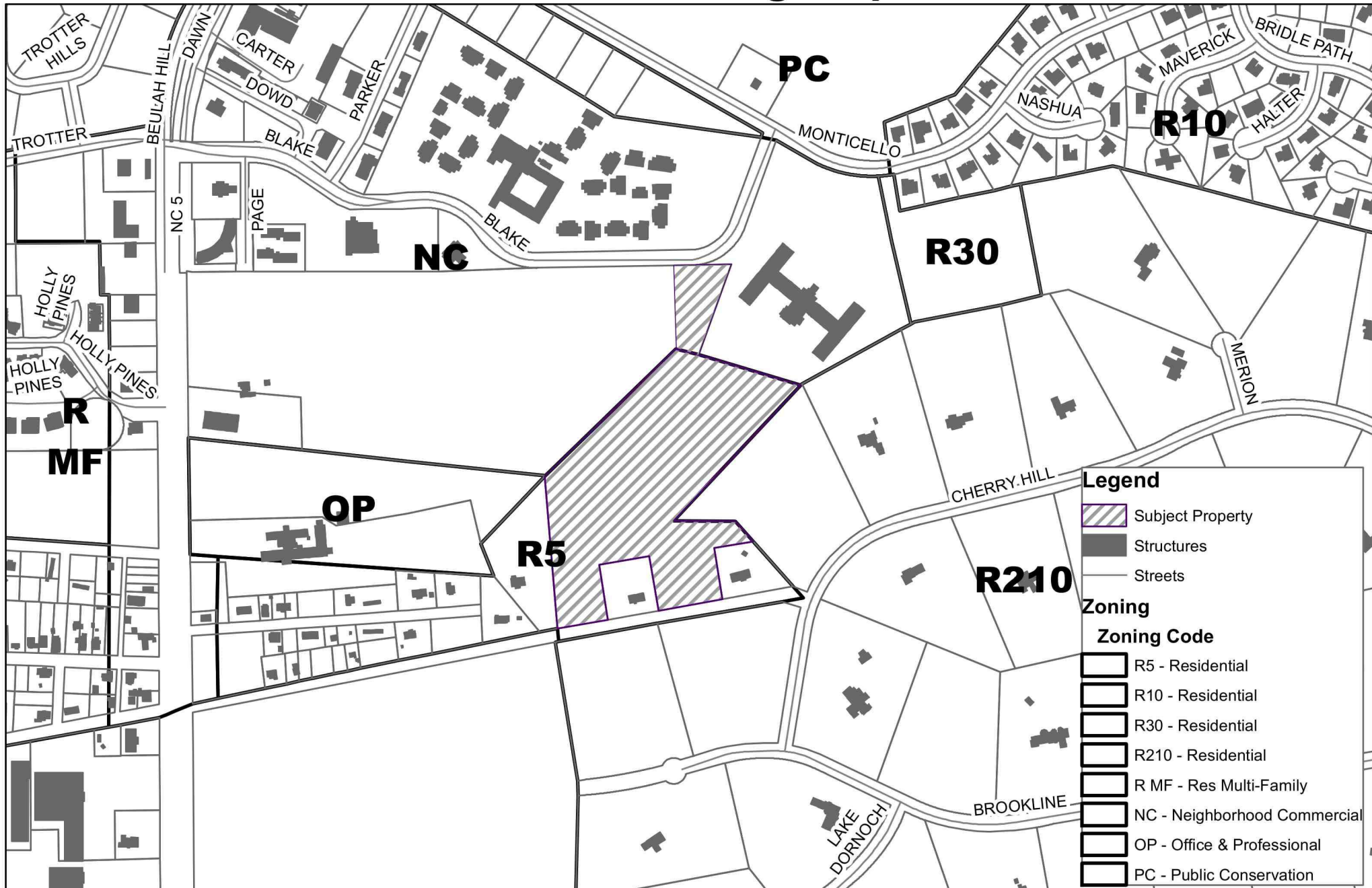


Pinehurst South Cottages Vicinity Map



9/25/2020
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Area Zoning Map



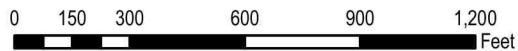
Legend

-  Subject Property
-  Structures
-  Streets

Zoning

Zoning Code

-  R5 - Residential
-  R10 - Residential
-  R30 - Residential
-  R210 - Residential
-  R MF - Res Multi-Family
-  NC - Neighborhood Commercial
-  OP - Office & Professional
-  PC - Public Conservation

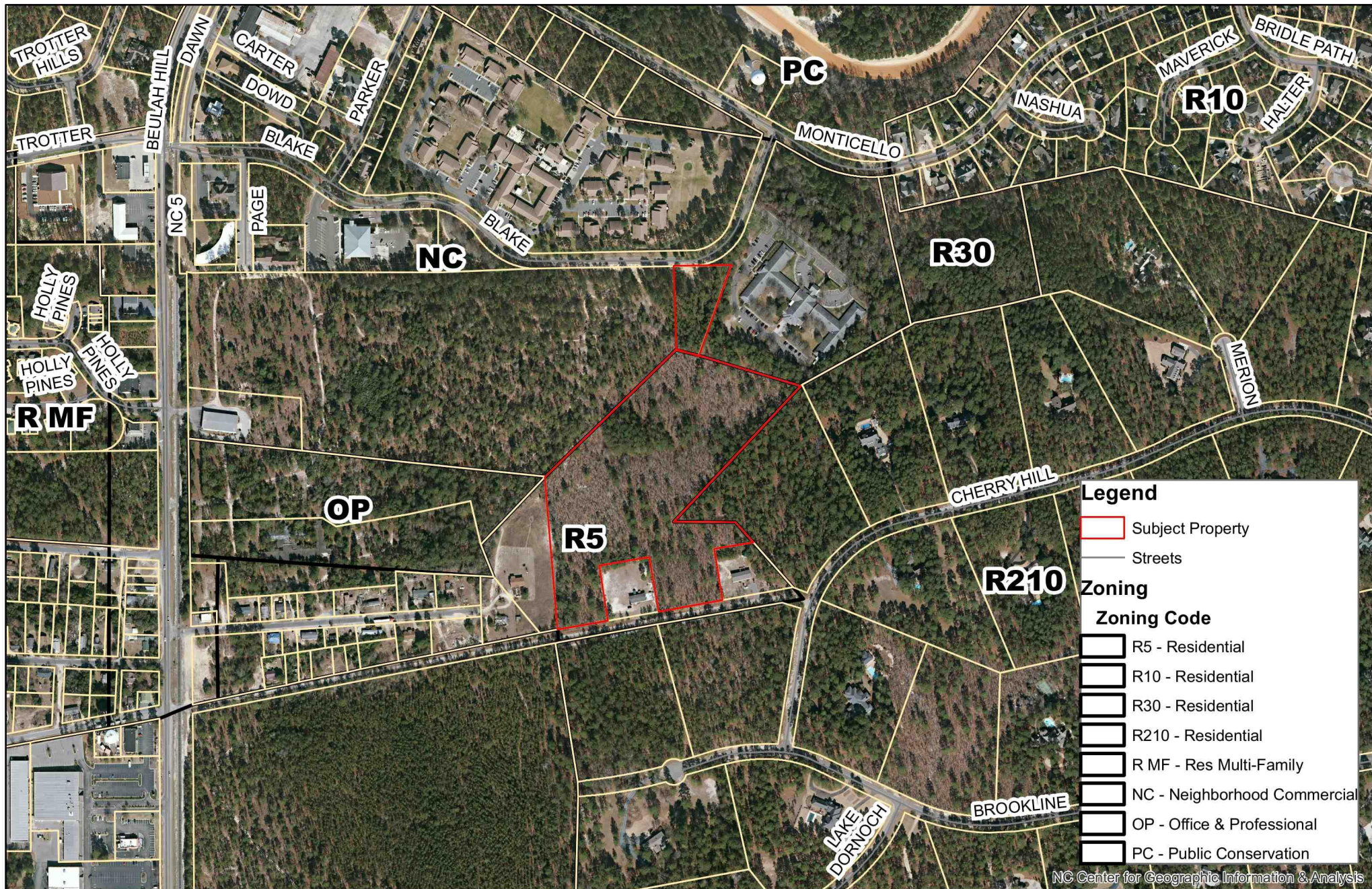


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Planning and Zoning Board
Public Hearing for Major Subdivision



Aerial Map



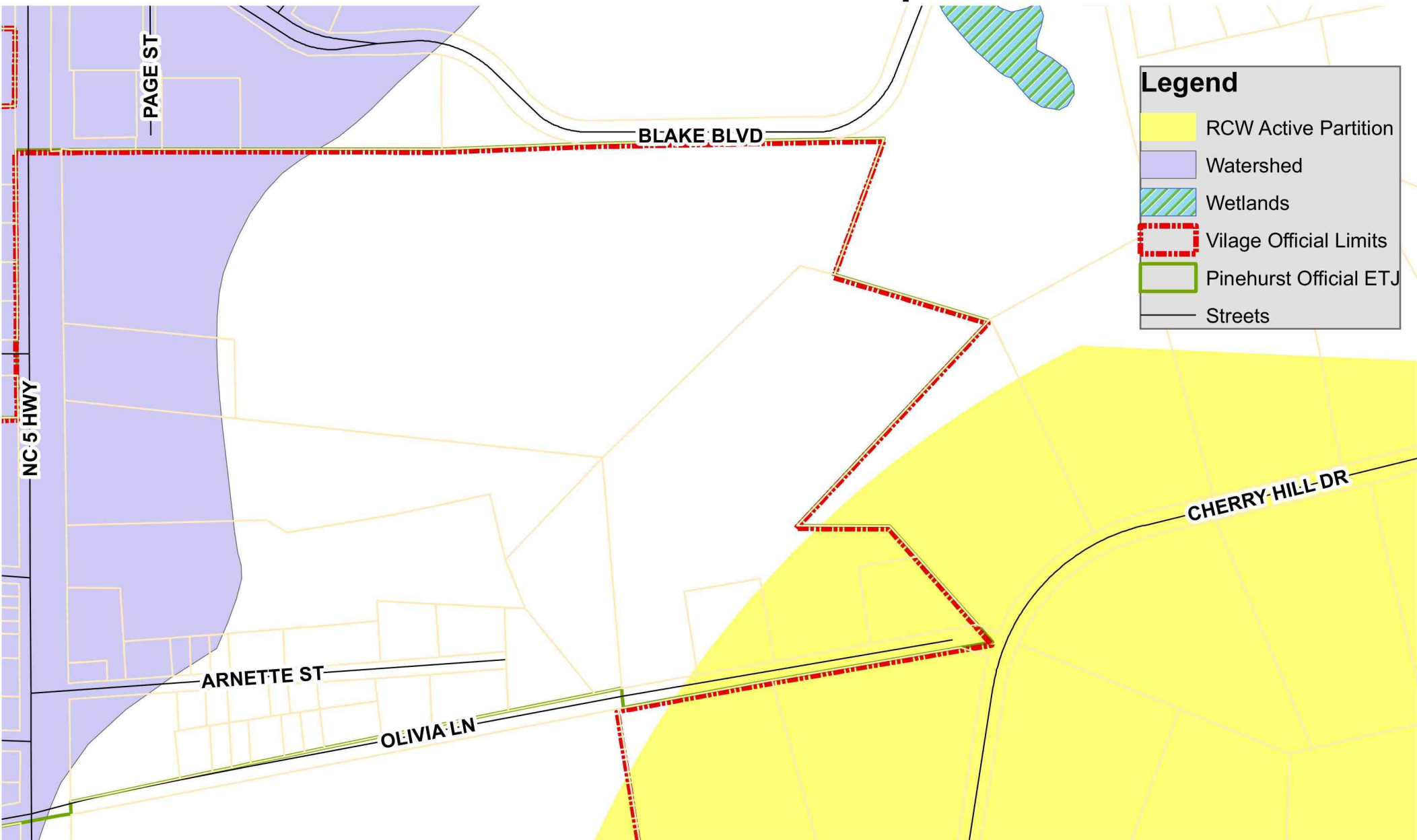
0 150 300 600 900 1,200 Feet

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Planning and Zoning Board Public Hearing for Major Subdivision



Environmental Impacts



0 100 200 400 600 800 Feet

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Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).

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10/1/2020

Planning and Zoning Board
Public Hearing for Major Subdivision





HISTORY, CHARM, AND SOUTHERN HOSPITALITY

NOTICE OF PUBLIC HEARING VILLAGE OF PINEHURST

September 18, 2020

Dear Property Owner:

The Village of Pinehurst Planning and Zoning Board will hold a Public Hearing on Thursday, October 1, 2020 at 4:00 PM. Members of the Planning and Zoning Board and staff will be participating at Village Hall 395 Magnolia Rd. Pinehurst, North Carolina as well as electronically and remotely via the virtual meeting platform ZOOM. The meeting will be streamed in real-time on the Village's website, at www.vopnc.org/live, for public viewing/listening and video-recorded for future reference.

- 1. The purpose of the public hearing is to consider a request for a Major Subdivision Review for a 40 lot single family subdivision. The subject subdivision includes Moore County PID# 00046287 and a portion of PID# 00046241. The subject area connects to and is south of Blake Blvd and also abuts Olivia Ln. The properties included with this proposal are currently zoned R-5 (High Density Residential) and NC (Neighborhood Commercial). The applicant and the property owner is The Cottages at Legacy Lakes, LLC.*

As the owner of said property, an adjacent property owner or as the applicant, you are receiving formal notification of this Public Hearing. Information on this request is available for public review at the Planning and Inspections Department, Village Hall, 395 Magnolia Road, Pinehurst, North Carolina, Monday through Friday from 8:30 AM to 5:00 PM with the exception of holidays. Information on this request will also be made available the week of the meeting on the Village of Pinehurst's Novus Agenda website at <https://pinehurst.novusagenda.com/agendapublic/>.

All persons wishing to be heard or comment on this proposal can attend this meeting during the public hearing at Village Hall or can send their comments to the Clerk to the Board at kbrown@vopnc.org to be read during the public hearing. There will also be a minimum of a 24 hour comment period following the public hearing where comments can be sent to the Clerk to the Board prior to action by the Planning and Zoning Board.

For more information, please call (910) 295- 2581.

B B L ASSOCIATES C/O HARRIS BLAKE
PO BOX 4266
PINEHURST, NC 28374

PINEHURST NURSING CENTER INC C/O
TRIAD MED SVS
PO BOX 969
YADKINVILLE, NC 27055

MCCLAIN, JON P & MOLLY M
70 BELAIR DR
PINEHURST, NC 28374

ROGERS, JAMES PAUL TRUSTEE ROGERS,
MARGARET SUE LUKEN TRUSTEE
100 CHERRY HILL DR
PINEHURST, NC 28374

SCHNEIDERMAN, ROY & COCHRAN,
CORINNE
655 LAKE DORNOCH DR
PINEHURST, NC 28374

ROGERS, JAMES PAUL TRUSTEE ROGERS,
MARGARET SUE LUKEN TRUSTEE
100 CHERRY HILL DR
PINEHURST, NC 28374

THREEXLAND, LLC C/O THE MOSER
GROUP
231 POST OFFICE DR, UNIT B8
INDIAN TRAIL, NC 28079

MAHALEY, LISA MARLENE
6040 6TH STREET
SURF CITY, NC 28445

COTTAGES AT LEGACY LAKES LLC, THE
PO BOX 4839
PINEHURST, NC 28374

MANNING REALTY COMPANY
PO BOX 6300
PINEHURST, NC 28374

PAGE INVESTMENTS LLC
PO BOX 4210
PINEHURST, NC 28374

STONE HOLDING COMPANY, LLC
PO BOX 83
PINEHURST, NC 28374

STONE HOLDING COMPANY, LLC
PO BOX 83
PINEHURST, NC 28374

ZF PROPERTIES LLC
306 LANDAULET COURT
PEACHTREE CITY, GA 30269

SMITH, MARK
500 S VALLEY RD
SOUTHERN PINES, NC 28387

HUYNH, TUANSON HUYNH, HONGDAO
880 SAINT ANDREWS DR
PINEHURST, NC 28374

BROAD STREET MANAGEMENT, LLC
2315 MIDLAND RD
PINEHURST, NC 28374

MATTHEWSON PROPERTIES, LLC
6680 BEULAH HILL CH RD
WEST END, NC 27376-9165

TUMBLEWEED LLC
PO BOX 1495
PINEHURST, NC 28370-1495

DEMBOSKY HOLDINGS, LLC
921 YADKIN ROAD
SOUTHERN PINES, NC 28387

QUAIL HAVEN PROPERTIES OF
PINEHURST, LLC
2334 S 41ST STREET
WILMINGTON, NC 28403

HUYNH, TUANSON HUYNH, HONGDAO
880 SAINT ANDREWS DR
PINEHURST, NC 28374

THOMAS, RANDY
5906 BARRINGTON
CHARLOTTE, NC 28215

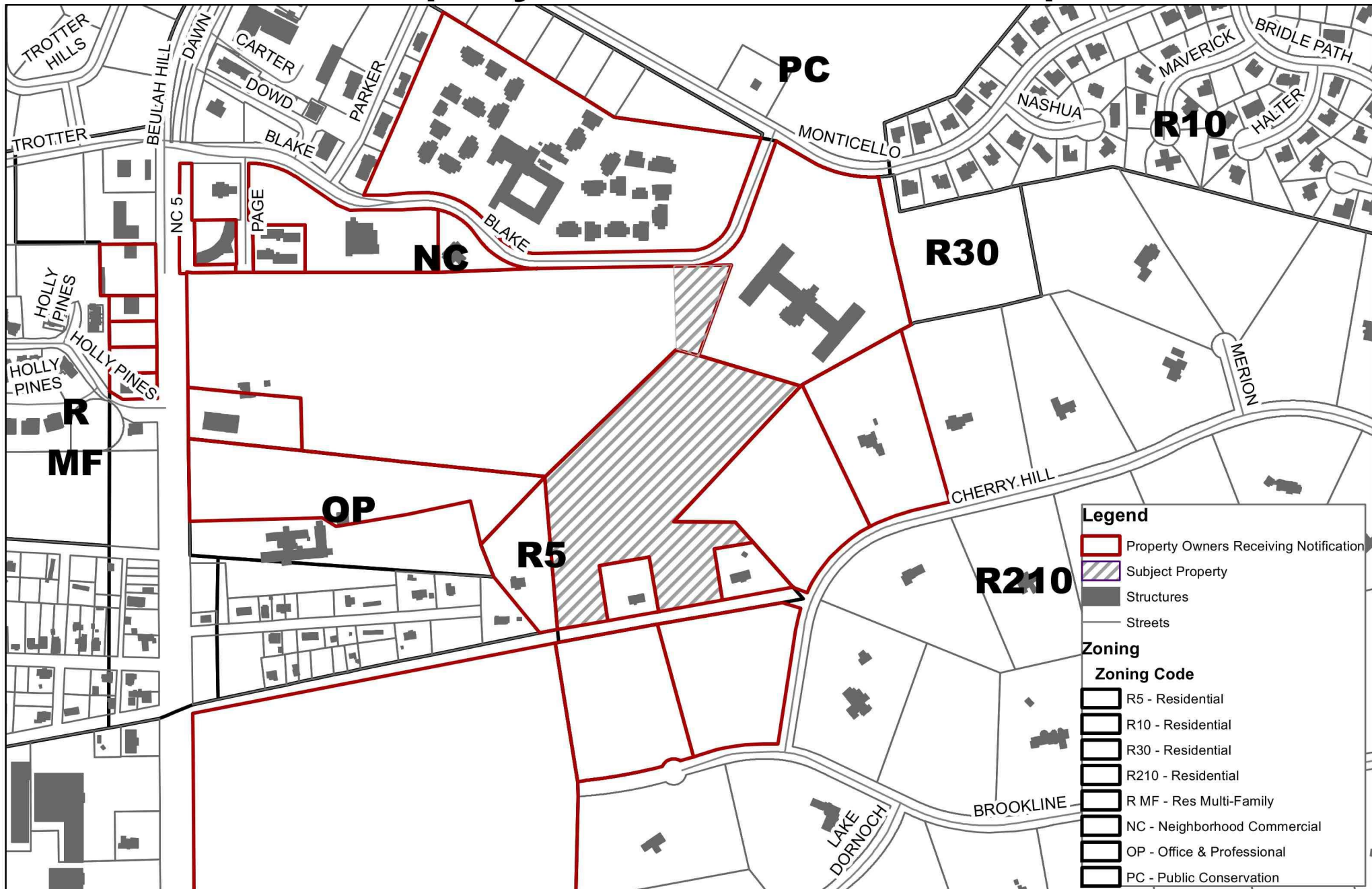
U S POSTAL SERVICE
475 L'ENFANT PLAZA, SW
WASHINGTON, DC 20260-2200

INGRAM, MARGUERITE W
PO BOX 3033
PINEHURST, NC 28374

BETHEA, BENJAMIN MARK & LOCKLEAR,
RONDA MARIE
PO BOX 3706
PINEHURST, NC 28374-3706

DEMBOSKY HOLDINGS, LLC
921 YADKIN ROAD
SOUTHERN PINES, NC 28387

Property Owner Notification Map

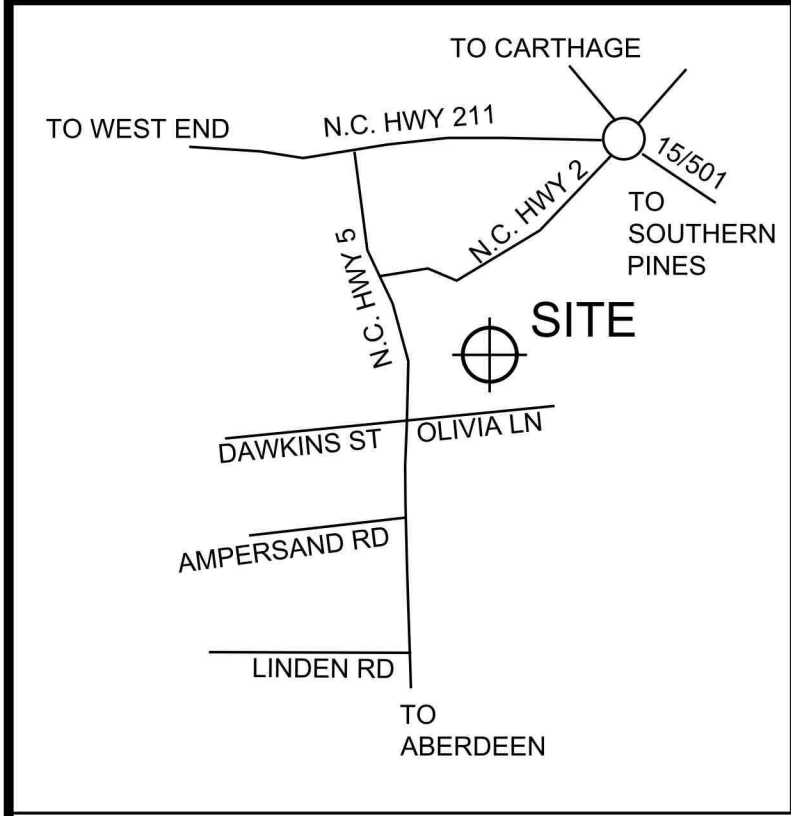


October 1, 2020

Planning and Zoning Board
Public Hearing for Major Subdivision



Village of Pinehurst Disclaimer: It is understood that the data contained herein is subject to constant change and that its accuracy cannot be guaranteed. The maps have been created from information provided by various government and private sources at various levels of accuracy. The data is provided to you "as is" with no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness or completeness of any of the information provided herein. It is the responsibility of the user of the data to be aware of the data's limitations and to utilize the data in an appropriate manner. Any resale of this data is strictly prohibited in accordance with North Carolina General Statutes 132-10. Grid is based on North Carolina State Plane Coordinate System NAD83 (feet). PineHurstBase Map for Boards.mxd 9/18/2020



VICINITY MAP

5
L-1

NOT TO SCALE

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREIN, THAT THE PROPERTY IS WITHIN THE SUBDIVISION JURISDICTION OF THE VILLAGE OF PINEHURST AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT AND HEREBY ESTABLISH ALL LOTS AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACE TO PUBLIC USE AS NOTED.

OWNER(S)

MAJOR PRELIMINARY SUBDIVISION PLAT RECOMMENDED FOR APPROVAL

I HEREBY CERTIFY THAT THIS MAJOR PRELIMINARY SUBDIVISION WAS APPROVED BY THE PINEHURST VILLAGE COUNCIL ON THE _____ DAY OF _____, 20____.

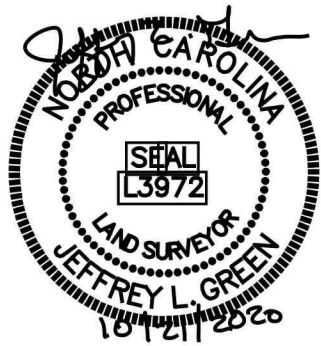
VILLAGE MANAGER

CERTIFICATE OF SURVEY AND ACCURACY

I, JEFFERY L. GREEN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION IDEED REFERENCES AS SHOWN; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN REFERENCES AS SHOWN; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 21ST DAY OF OCTOBER, A.D., 2020.

JEFFERY L. GREEN
PROFESSIONAL LAND SURVEYOR

L-3972
LICENSE NUMBER



I, JEFFERY L. GREEN, PROFESSIONAL LAND SURVEYOR, L-3972, CERTIFY TO THE FOLLOWING IN G.S. 47-30(f)(11):

THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE JURISDICTIONAL AREA OF MOORE COUNTY, NORTH CAROLINA AND THAT THE COUNTY HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

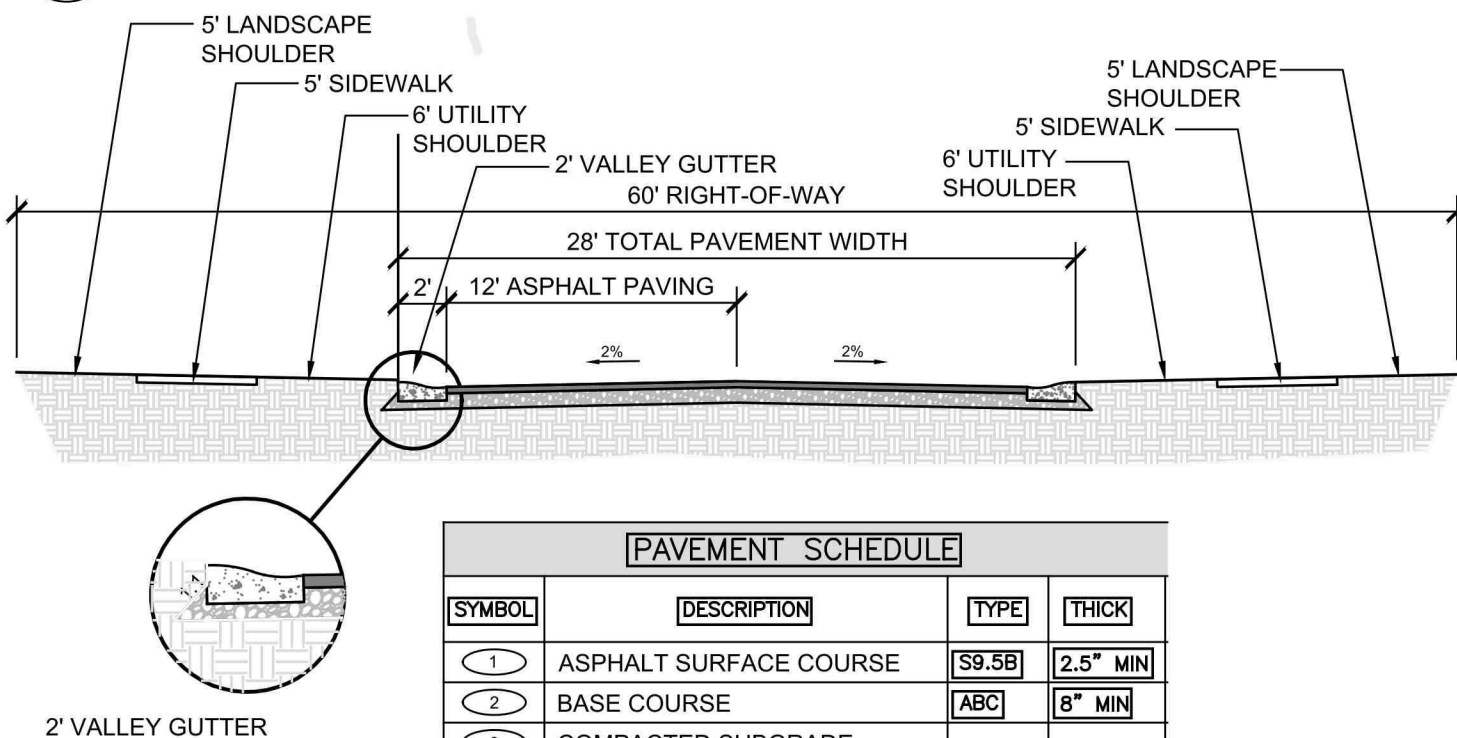
JEFFERY L. GREEN
PROFESSIONAL LAND SURVEYOR

10/21/2020
DATE

SIGNATURE BLOCKS

4
L-1

NOT TO SCALE



- FINAL PAVEMENT PROFILE TO BE DETERMINED BY SOIL REPORT AND SHALL COMPLY, AT A MINIMUM, WITH THE VILLAGE FIRE LANE STANDARDS.
- ROADS TO BE PUBLIC.

TYPICAL STREET SECTION

3
L-1

NOT TO SCALE

BUILDABLE AREA PER LOT:

LOT 1: 2809sf	LOT 14: 2800sf	LOT 27: 3555sf
LOT 2: 2795sf	LOT 15: 2265sf	LOT 28: 3673sf
LOT 3: 2800sf	LOT 16: 2434sf	LOT 29: 3553sf
LOT 4: 2800sf	LOT 17: 2603sf	LOT 30: 2800sf
LOT 5: 2800sf	LOT 18: 2774sf	LOT 31: 3162sf
LOT 6: 3170sf	LOT 19: 3075sf	LOT 32: 2800sf
LOT 7: 3789sf	LOT 20: 7474sf	LOT 33: 2995sf
LOT 8: 5082sf	LOT 21: 3181sf	LOT 34: 5292sf
LOT 9: 4546sf	LOT 22: 3200sf	LOT 35: 3123sf
LOT 10: 3720sf	LOT 23: 3134sf	LOT 36: 3538sf
LOT 11: 2802sf	LOT 24: 2800sf	LOT 37: 5878sf
LOT 12: 2800sf	LOT 25: 2800sf	LOT 38: 12287sf (PUMP STATION SITE)
LOT 13: 2800sf	LOT 26: 3030sf	LOT 39: 0sf (UNDEVELOPED AREA)
		LOT 40: 0sf (UNDEVELOPED AREA)
		LOT 41: 4845sf
		LOT 42: 0sf (UNDEVELOPED AREA)

NOTES:

- BOUNDARY SURVEY BY LKC ENGINEERING, JEFFERY L. GREEN, PROFESSIONAL LAND SURVEYOR.
- TOPOGRAPHIC AND ADJACENT PROPERTY INFORMATION TAKEN FROM MOORE COUNTY GIS DEPARTMENT DATA.
- STREET NAME ARE YET TO BE DETERMINED, AND WILL BE COORDINATED THROUGH MOORE COUNTY AND 911 FOR DUPLICATION OF NAMES.
- SPECIMEN TREES ARE SHOWN AS SYMBOL INDICATING LONGLEAF PINES AND ASSOCIATED SIZES. NO OTHER SIGNIFICANT SPECIES WERE FOUND.
- OWNER REQUEST WAIVER TO PROVIDE VALLEY CURB & GUTTER IN LIEU OF STANDARD CURB & GUTTER.

PROPERTY DATA:

OWNERS:

TRACT 1: COTTAGES at LEGACY LAKES, LLC
1015 ASHES DRIVE, STE 202
WILMINGTON, NC, 28405-8335
PHONE #: 910-585-0618
EMAIL: MARCEL@GONEAUCONSTRUCTION.COM

PARCEL ID #: 2019001147
DEED BOOK: 17, PAGE: 989
ZONING: NC (NEIGHBORHOOD COMMERCIAL)
AREA: 1.33 ACRES (57,778sf)
EXISTING STRUCTURES: NONE
EXISTING IMPERVIOUS SURFACE: NONE
100 YR FLOODPLAIN: SITE IS NOT WITHIN 100 YR FLOODPLAIN, ZONE X
MAP #: 3710854000J & 3710856100J
RIVER BASIN: CAPE FEAR
SUB-BASIN: NONE
RCW FORAGING AREA: SOPI 105, INACTIVE FORAGING CLUSTER

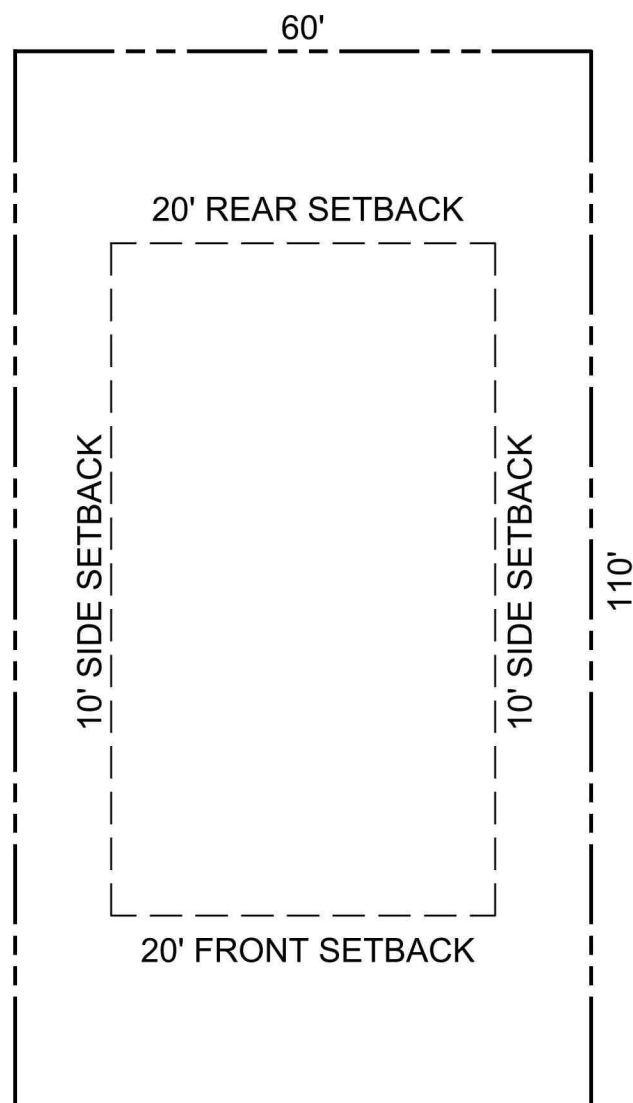
TRACT 2: COTTAGES at LEGACY LAKES, LLC
1015 ASHES DRIVE, STE 202
WILMINGTON, NC, 28405-8335
PHONE #: 910-585-0618
EMAIL: MARCEL@GONEAUCONSTRUCTION.COM

PARCEL ID #: 2019001147
DEED BOOK: 17, PAGE: 989
ZONING: R-5 (SINGLE FAMILY RESIDENTIAL)
AREA: 13.07 ACRES (569,262sf)
EXISTING STRUCTURES: NONE
EXISTING IMPERVIOUS SURFACE: NONE
100 YR FLOODPLAIN: SITE IS NOT WITHIN 100 YR FLOODPLAIN, ZONE X
MAP #: 3710854000J & 3710856100J
RIVER BASIN: CAPE FEAR
SUB-BASIN: NONE
RCW FORAGING AREA: SOPI 108, ACTIVE FORAGING CLUSTER

PROJECT ENGINEER: LKC ENGINEERING, PLLC
140 AQUA SHED COURT
ABERDEEN, NC, 28315
PHONE #: 910-420-1437
LICENSE #: P-1095

PROJECT SURVEYOR: LKC ENGINEERING, PLLC
140 AQUA SHED COURT
ABERDEEN, NC, 28315
PHONE #: 910-420-1437
JEFFERY L. GREEN
LICENSE #: 3972

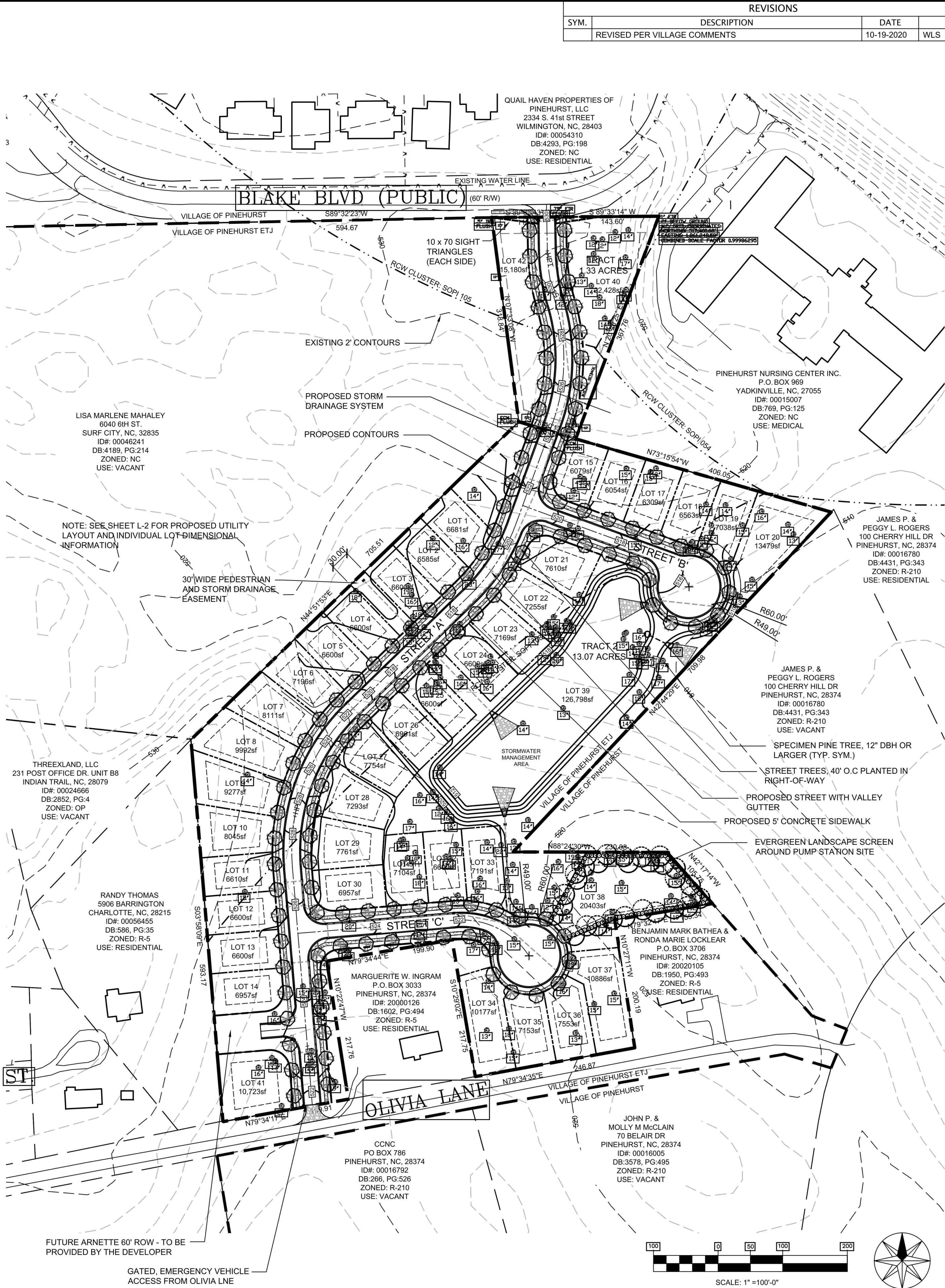
SITE DATA TABLE		
ACREAGE OF TRACT(S)		
TRACT 1	1.33 AC	NC ZONING
TRACT 2	13.07 AC	R5 ZONING
TOTAL	14.4 AC	
OPEN SPACE REQUIRED	NONE	
OPEN SPACE PROVIDED	NONE	
TOTAL NUMBER OF LOTS	42	
SMALLEST LOT	6,064 SF	
LINEAR FOOTAGE OF STREET	2,161 LF (Public)	
TOTAL RIGHT OF WAY	3.48 AC	
TOTAL AREA OF RESIDENTIAL LOTS	6.60 AC	
UNDEVELOPED HOA PROPERTY (LOTS 39,40,42)	3.85 AC	
PUMP STATION LOT (LOT 38)	0.47 AC	
SETBACKS		
FRONT	20'	
SIDE	10'	
SIDE STREET	15'	
REAR	20'	
IMPERVIOUS SURFACE EXISTING - NONE		
TOTAL TRACT(S)	14.4 AC	
ROADS AND INFRASTRUCTURE	1.89 AC	13.10%
BUILDING ENVELOPES		
38 LOTS @ 3,500 SF/LOT =	3.05 AC	21.20%
PUMP STATION LOT (MCPU)	0.21 AC	1.45%
TOTAL IMPERVIOUS SURFACE	5.07 AC	35.80%
FLOODPLAIN	NONE	
WATERSHED	NONE	



TYPICAL LOT SIZE

2
L-1

NOT TO SCALE



PRELIMINARY PLAT PLAN

1
L-1

SCALE: 1" = 100'-0"

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
Surveying

LKC

PRELIMINARY PLAT
PLAN

PINEHURST SOUTH
COTTAGES

Pinehurst, North Carolina

DATE: August 6, 2020
DESIGNED: WLS
DRAWN: WLS
CHECKED: TAC
NO.

L-1

REVISIONS			
SYM.	DESCRIPTION	DATE	BY
	REVISED PER VILLAGE COMMENTS	10-19-2020	WLS

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
Surveying

LKC

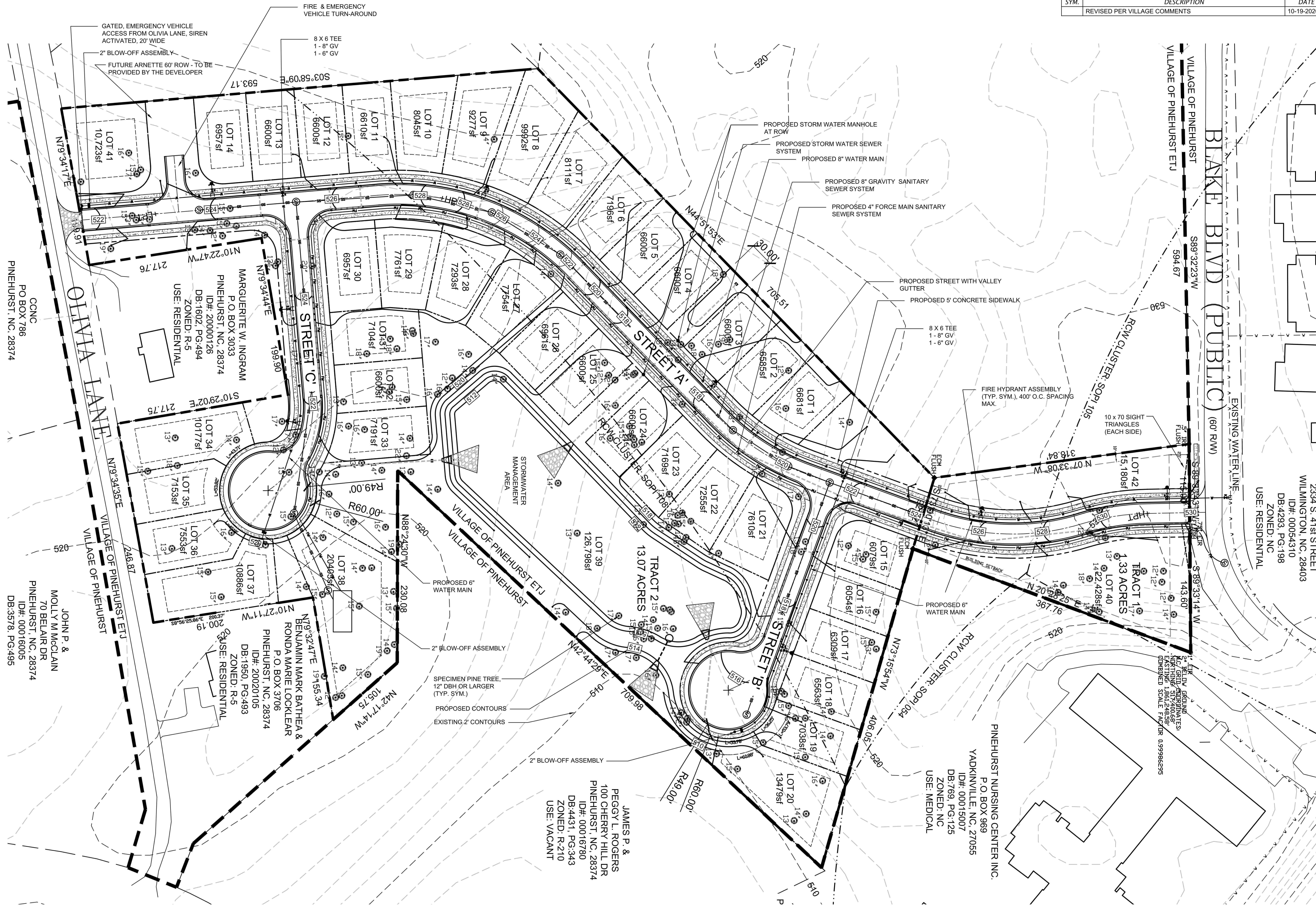
PRELIMINARY PLAT
LAYOUT AND UTILITY
PLAN

PINEHURST SOUTH
COTTAGES

Pinehurst, North Carolina

DATE: August 6, 2020
DESIGNED: WLS
DRAWN: WLS
CHECKED: TAC
NO.

L-2



PRELIMINARY PLAT LAYOUT AND UTILITY PLAN

SCALE: 1" = 60'-0"

1
L-2

From: [Kelly Brown](#)
To: [Alex Cameron](#); [Darryn Burich](#)
Subject: FW: Zoom town hall meeting on the Nov. 5th
Date: Friday, November 6, 2020 8:48:50 AM

Kelly Brown
Administrative Specialist

From: mark Bethea <betheasheart7565@gmail.com>
Sent: Friday, November 6, 2020 5:31 AM
To: Kelly Brown <kbrown@vopnc.org>
Subject: Zoom town hall meeting on the Nov. 5th

My name is Benjamin Mark Bethea. I am the last home off of Olivia Ln. On the fence line of CCNC. I watched the zoom meeting on Thursday concerning the proposed development between Blake BLVD and Olivia Ln.

There was brought up that the Aberdeen R.R. are planning on closing the crossing of the railroad either on Arnette street or Olivia Ln and that they were leaning towards Olivia Ln. Being the choice. There was not much said about a solution for that, if this came into affect. My question is, will there be anymore talk about a solution for me and Ms Ingram to get out onto HWY#5 if and when this will happen????? I was told that we had 24hr from the Nov. 5th meeting to submit questions.

Thank you
Benjamin Mark Bethea

**Subdivision – Major and Minor**

Fee: \$1400 – Minor

Fee: \$4500 – Major

(Revised 09/2019)

☒ Major Subdivision☐ Minor Subdivision**Subdivision Information**

Per Section 9.17.1.1 of the Pinehurst Development Ordinance (PDO), a Minor Subdivision is a subdivision that does not involve any of the following: (a) creation of more than three (3) lots from any one (1) tract of land (as the tract existed on October 23, 1995) whether such lots are created at one time or over a period of ten (10) years, thereafter; and (b) dedication or improvement of any new street other than widening approved existing streets. Minor subdivision applications are reviewed by the Village Planner and approved by the Village Manager. A Major Subdivision is any subdivision other than an Exempt Subdivision or Minor Subdivision. See Section 9.17.1.1 of the PDO for a description of an Exempt Subdivision. Major Subdivisions are approved by the Village Council.

This application must be completed in full and submitted with the associated fee listed in the Village's Fees and Charges Schedule, which can be accessed at www.vopnc.org/Home/ShowDocument?id=10100.

Intake Information

Property Address	
Street Address	Closest addressed parcel is 150 Blake Blvd & 300 Blake Blvd.
City, State, Zip Code	Pinehurst, NC
Parcel ID #	00046287

Owner Information			
Name	Cottages at Legacy Lakes, LLC	Home Phone #	
Street Address	1015 Ashes Dr. Suite 202	Mobile Phone #	910-585-0618
City, State, Zip Code	Wilmington, NC 28405-8335	Business Phone #	
Email	marcel@goneauconstruction.com		

Licensed Professionals	
(License #s must include all letters and numbers as filed with the NC Licensing Board)	
	Surveyor (Required)
License #	3972
Name	Jeffery L. Green
Street Address	140 Aqua Shed Court
City, State, Zip	Aberdeen, NC 28315
Phone #	910-420-1437
Email	jeff@lkcengineering.com



Subdivision – Major and Minor

Fee: \$1400 – Minor

Fee: \$4500 – Major

(Revised 09/2019)

Applicant			
Name	Cottages @Legacy Lakes, LLC	Other Phone #	
Email	marcel@goneauconstruction.com	Street Address	1015 Ashes Dr., Suite 202
Mobile Phone #	910-585-0618	City, State, Zip Code	Wilmington, NC 28405-8338

General Information

Project Description	Single Family Residential Subdivision in an R-5 Zoning District consisting of 37 lots.		
Name of Subdivision	Pinehurst South Cottages		
Existing Use		Proposed Use	
☒ Vacant ☐ Single Family Low Density ☐ Single Family Medium Density ☐ Single Family High Density ☐ Multi-Family Development ☐ Office ☐ Retail ☐ Lodging ☐ Recreational ☐ Institutional ☐ Medical ☐ Industrial ☐ Services		☐ Vacant ☐ Single Family Low Density ☒ Single Family Medium Density ☐ Single Family High Density ☐ Multi-Family Development ☐ Office ☐ Retail ☐ Lodging ☐ Recreational ☐ Institutional ☐ Medical ☐ Industrial ☐ Services	

Project Information

Total Acres of Project Area	14.4	Number of Acres Disturbed	13
Number of Acres of Dedicated Open Space	0	Square Footage of Smallest Lot	6,054
Number of Lots - Existing	2	Number of Lots - Proposed	38
Number of Residential Units - Existing	0	Number of Residential Units - Proposed	37
Number of Non- Residential Units - Existing	0	Number of Non- Residential Units - Proposed	1 (sewer pump station lot)
Impervious Surface % - Existing	0%	Impervious Surface % - Proposed	45%
Total Number of Phases	1		

**Subdivision – Major and Minor**

Fee: \$1400 – Minor

Fee: \$4500 – Major

(Revised 09/2019)

Special Conditions (If Any)	None
--------------------------------	------

Location Information

Zoning District	R-5 Residential
Overlay District	☐ Historic Preservation Overlay District ☒ N/A ☐ Pinehurst South Overlay District
Watershed Protection Overlay District	☐ WS-II ☐ WS-III ☒ N/A
Project Requires a Special Intensity Allocation	☐ Yes ☒ No
In a Flood Zone	☐ Yes ☒ No
Site Contains Wetlands	☐ Yes ☒ No
Red Cockaded Woodpecker on Site	☒ Yes ☐ No
Roads	☒ Public ☐ Private
Water Provider	Moore County Public Utilities
Sewer Provider	Moore County Public Utilities

Required Documents (See Appendix E of the PDO for Requirements)

☐ General Concept Plan (If Conditional District Rezoning)	☒ Preliminary Plat
☒ Trip Generation Calculations	

Other Agency Permits/Approvals (As Applicable) - Per Section 4.2.6 of PDO

☒ Erosion Control Plan (State of North Carolina)	☐ Septic Tank/Well Permit (Moore County)
☐ Driveway Permit – State Roads (NCDOT)	☐ Right of Way Encroachment
☐ US Fish and Wildlife Approval	☒ Other

Certification

I hereby certify that the information contained in this application is accurate and complete. I also confirm that I have read and understand the requirements that must be met for a Major Subdivision or Minor Subdivision approval.

Applicant Signature:

Date:

7/2/2020



July 2, 2020

Phillip Picerno, PE
LKC Engineering, PLLC
140 Aqua Shed Court
Aberdeen, NC 28315
E: Phillip@lkceengineering.com

Subject: Mahaley Land – **Trip Generation Letter**
Pinehurst, North Carolina

Dear Mr. Picerno,

This letter provides an estimate of the trip generation for the proposed residential development located east of NC 5 and north of Olivia Lane in Pinehurst, North Carolina. The proposed development is anticipated to consist of 37 single-family homes. Access to the proposed site will be provided via one (1) full movement site driveway along Blake Boulevard.

Trip Generation

Average weekday daily, AM, and PM peak hour trips for the proposed development were estimated using methodology contained within the *ITE Trip Generation Manual, 10th Edition* utilizing the most recent (July 1, 2018) North Carolina Department of Transportation (NCDOT) Congestion Management rates vs. equation spreadsheet. Refer to Table 1 for a summary of the trip generation summary.

TABLE 1
SITE TRIP GENERATION SUMMARY

LAND USE	SIZE	DAILY TRIPS (VPD)	PEAK HOUR TRIPS (VPH)			
			AM		PM	
			ENTER	EXIT	ENTER	EXIT
Single-Family Detached Housing (210)	37 D.U.	420	8	23	25	14

As shown in Table 1, based on *ITE Trip Generation Manual, 10th Edition*, it is estimated that the site is expected to generate approximately 420 trips during a typical 24-hour weekday period. Of the daily site trips, it is anticipated that 31 total trips (8 entering and 23 exiting) will occur during the AM peak hour and 39 total trips (25 entering and 14 exiting) will occur during the PM peak hour. It should be noted that the single-family homes will be targeted towards seniors, although not restricted.

Findings and Summary

The results of the trip generation summary show the 37 lots to be significantly below the NCDOT threshold for requiring a Traffic Impact Analysis (TIA). The trip generation summary also shows that the proposed development would have no significant impacts to the existing roadway network due to the low volume of expected site traffic.

If you should have any questions, please feel free to contact me at (919) 872-5115.

Sincerely,

Joshua Reinke, P.E.
State Traffic Engineering Lead
Ramey Kemp Associates

NC Corporate License # C-0910

Attachments

- Preliminary Site Plan

