



**PLANNING AND ZONING BOARD
REGULAR MEETING
OCTOBER 3, 2019
ASSEMBLY HALL
395 MAGNOLIA RD.
PINEHURST, NORTH CAROLINA
4:00 PM**

The Pinehurst Planning and Zoning Board held a Regular Meeting at 4:00 p.m., Thursday, October 3, 2019 in the Assembly Hall, at 395 Magnolia Road, Pinehurst, North Carolina.

Board Members in Attendance:

Leo Santowasso, Chair
David Kelley, Vice-Chair
Joel Shriberg, Board Member
Julia Latham, Board Member
Sonja Rothstein, Board Member
Cyndie Burnett, Board Member
Paul Roberts, Board Member

Board Members Not in Attendance:

Jeremy Hooper, Board Member

Staff in Attendance:

Darryn Burich, Planning and Inspections Director
Alex Cameron, Senior Planner
Kelly Brown, Planning Administrative Specialist

There were approximately 20 attendees, 2 staff and 1 press.

I. Call to Order

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

II. Approval of Minutes

- 09-05-19 Regular Meeting Draft Minutes
- 09-10-19 Special Joint Meeting Draft Minutes
- 09-23-19 Special Meeting Draft Minutes

Upon a motion by Ms. Burnett and seconded by Ms. Rothstein, the Board unanimously approved all draft meeting minutes with corrections by a vote of 5-0.

Mr. Kelley abstained from voting on the approval of minutes from the meetings he did not attend on September 10, 2019 and September 23, 2019.

III.

New Business

A. Public Hearing No. 1

Upon a motion by Mr. Kelley and seconded by Ms. Burnett, the Board unanimously moved to recess the regular meeting and enter into Public Hearing No. 1 by a vote of 6-0.

Senior Planner Alex Cameron stated the purpose of the public hearing is to consider an Official Zoning Map Amendment. This map amendment includes two parcels of land consisting of approximately 41.26 acres further identified as Moore County PID #'s 00046241 and 00046287 and would zone those properties RMF-CD (Residential Multi-Family-Conditional District). The properties are currently zoned NC (Neighborhood Commercial District) and R-5 (High Density Residential District). The proposed use of the properties is a 160 dwelling unit single family development with amenities. The property is currently vacant. The applicant is The Cottages at Legacy Lakes, LLC and property owners are Lisa Mahaley and Howard & Georgia Arnette.

Mr. Cameron provided an overview of the prepared staff report and the submittal documents. He stated that the applicant had six proposed conditions for the rezoning request:

1. Side setback of the parent tract be 20' as opposed to the required 15' side setback.
2. Provide a 10' wide Class 1 planted buffer along common property line of adjacent properties zoned NC and OP.
3. Provide a minimum of 10' separation between buildings.
4. The applicant petition for voluntary annexation into the Village's corporate limits.
5. Allowance for up to 160 dwelling units.
6. Use of valley gutter in lieu of curb and gutter per the Village's detail in the Engineering Standards and Specifications Manual (ESSM).

Upon question by Mr. Santowasso, the Board stated they had no conflicts of interest with this application.

Tim Carpenter and Philip Picerno of LKC Engineering introduced the applicant Marcel Goneau of The Cottages at Legacy Lake, LLC and traffic engineer Joshua Reinke of Ramey Kemp & Associates. Mr. Carpenter gave a presentation on the proposed rezoning request which included existing site conditions, existing zoning site plan, proposed zoning site plan, proposed cottage renderings, streetscape drawing, goals/rationale and strategies behind the request, phasing plan, proposed site data, development conditions, general concept plan, and trip generation analysis.

Mr. Carpenter stated that applicant proposes 3.9 units per acre, or 65% of allowable density in the R-MF zoning district. He stated the applicant proposes zero lot line units and that yards and common areas would be maintained by a HOA or POA.

Mr. Carpenter stated the applicant proposed having a gated emergency access point at Olivia Lane.

Mr. Carpenter explained the rationale for the project was to encourage preservation and enhancement of residential neighborhoods and guide residential development to address housing needs.

Mr. Carpenter stated the traffic would be lessened on Highway 5 with the proposed residential zoning, about 1600 trips a day, versus current commercial zoning, which could produce up to 9000 trips a day depending on how it develops.

Mr. Carpenter stated the project would be developed in three phases.

Mr. Reinke explained the trip generation summary.

The Board took public comment on the proposed rezoning request:

- Robert Coates of 21 Edinburgh Lane stated his main concern was traffic and believed existing zoning should be maintained.
- Marguerite Ingram of 295 Olivia Lane supported the proposed project as it could be beneficial to her.
- Bob Bramwell of 6 Laglan Court stated he was in favor of the Board issuing a denial recommendation for the proposed rezoning request.

Mr. Roberts questioned where the residents of the proposed development would be walking to. Mr. Carpenter stated they would like them to connect into Pinehurst South, but currently the proposed sidewalks do not terminate to existing sidewalks.

Mr. Roberts questioned if building 160 homes would decrease traffic. Mr. Carpenter stated that the applicant's proposed residential zoning would be a lesser traffic alternative than the current zoning of neighborhood commercial.

Mr. Shriberg asked the price range of the proposed homes. Mr. Goneau stated the home costs would be in the \$350,000 range.

Ms. Burnett stated she was concerned about the two entrances on Highway 5 being so close together. She stated she was concerned about zoning; the area was intentionally zoned Neighborhood Commercial as part of the 2010 Comprehensive Plan, and the proposed 2019 Comprehensive Plan has the area slated as an innovation hub. Ms. Burnett cited traffic concerns due to upcoming development on Highway 5 in Aberdeen. She stated it would serve Pinehurst better to provide business and job opportunities in the area, as opposed to competing home sales.

Mr. Carpenter responded by stating the proposal will provide a lesser impact in regard to traffic and provide an opportunity for Pinehurst South to take off.

Ms. Burnett asked about the entrances on Highway 5 being so close together. Mr. Carpenter stated the entrances are about 300 feet apart. Mr. Reinke stated North Carolina Department of Transportation will review to see if there are queuing and traffic issues.

Ms. Burnett questioned whether a third access could be created on Olivia Lane. Mr. Carpenter stated if Olivia Lane was accessible by public or private street, it would benefit everyone to have access.

Ms. Rothstein asked Marguerite Ingram of 295 Olivia Lane how the project would be beneficial to her. Ms. Ingram stated that she hoped her house could be included on the proposed project's sewer system. Mr. Carpenter stated that may be able to get Ms. Ingram's parcel on their sewer system.

Ms. Rothstein questioned where residents of the proposed development would walk to. She stated she appreciated the presentation, but it may be premature.

Ms. Latham stated she was concerned about the ingress and egress on Blake Boulevard.

Ms. Latham questioned why there currently is not access on Olivia Lane. Mr. Carpenter stated it is an ownership issue and whether the Village has the right to grant access from another neighborhood. He stated they would like to have access to Olivia Lane if it was a dedicated public street.

Ms. Latham stated that Olivia Lane becoming an access point was not discussed at the neighborhood meeting, and asked how the residents of Olivia Lane would feel about the traffic burden. Mr. Carpenter stated that Olivia Lane is being proposed as a gated emergency access and the question of public access was not brought up during the meeting.

Ms. Latham questioned how the data for the trip generation summary was created. Mr. Reinke stated that they looked at the worst case scenario, and that the summary used a combination of restaurant and retail traffic, where the evening is a higher generator of traffic.

Mr. Kelley stated that if traffic mitigation was the objective, then it would be zoned as a park. He asked if realtor data is included in the staff reports. Mr. Cameron stated staff provides land use analysis, not market analysis.

Mr. Kelley asked what the lot size was for the project. Mr. Carpenter stated there are no lot lines, but the lot size would be equivalent to about 5000 square feet.

Mr. Santowasso stated he had a problem with the concept of rezoning. He stated the applicant is asking for residential multi-family zoning, but there isn't multi-family in the proposal. Upon question by Mr. Santowasso, Mr. Carpenter stated the homeowner would own the footprint of the home and common spaced would be maintained by the HOA.

Mr. Santowasso questioned why there was not landscaping screening along Olivia Lane. Mr. Carpenter stated they could provide screening.

Mr. Santowasso questioned the traffic on Blake Boulevard. Mr. Reinke stated they would be looking at turn lanes, safety and capacity in the traffic impact analysis.

Mr. Santowasso questioned if the pump station would be covered by the covenants of the HOA or if an independent organization would be responsible for operation. Mr. Carpenter stated it would be maintained by Moore County Public Utilities as a public utility.

Mr. Burich stated that both the 2010 and 2019 Comprehensive Plans have a more prescriptive recommendation for the area than what is being proposed by Mr. Carpenter. He stated that the 2019 Comprehensive Plan recommends the area as Mixed Use Center - Stacked Residential. Mr. Burich stated another recommendation for that area is an innovation hub with office, medical, life science, and research facilities supported by small retail. He stated that when staff came up with the recommendation against the proposed rezoning request, it was based on these recommendations in both Comprehensive Plans.

Mr. Goneau stated the reason he sought out this property was to fulfill a need for people who are aging out of larger homes and looking to retire within the community they have lived in. Mr. Kelley asked Mr. Goneau if he had thought about the type of development with ground level businesses and apartments on the second floor. Mr. Goneau stated they tried thinking about aging clientele and the desire for first floor access and residential options that would boost life into the Pinehurst South area. He also stated that eventually sidewalks would connect as redevelopment occurred.

Upon a motion by Mr. Kelley and seconded by Ms. Burnett, the Board unanimously moved to adjourn Public Hearing No. 1 and re-enter the regular meeting by a vote of 6-0.

Mr. Kelley stated his challenge with it is that it conflicts with the Comprehensive Plan. He stated there are other options that could be more amenable.

Mr. Shriberg stated there is a need for this type of project in the community. He stated the traffic is an issue and was a top issue he heard during the Comprehensive Plan input.

Ms. Burnett stated she would like to see the traffic impact once the school was complete before moving forward with this type of project.

Mr. Santowasso stated the 2010 and 2019 Comprehensive Plan, along with the Small Area Plan, carries more weight than this proposal. He stated the application is not consistent with either plan for traffic and planning reasons.

Upon motion by Mr. Kelley and seconded by Ms. Rothstein, the Board moved to adopt the Statement of Consistency and authorize its Chairman to execute the document, as the proposed zoning map amendment is not consistent with the 2010 Comprehensive Long-Range Village Plan as described in the staff memo prepared by Alex Cameron dated September 25, 2019. Not achieving goals in accordance with the Comprehensive Plan is considered unreasonable and not in the best interest of the public.

Roll Call

Roberts	Support
Shriberg	Support
Burnett	Support
Rothstein	Support
Latham	Support
Kelley	Support

Upon motion by Ms. Rothstein and seconded by Mr. Shriberg, the Board moved to recommend denial to the Pinehurst Village Council of the proposed zoning map amendment by a vote of 6-0.

Roll Call

Roberts	Agree
Shriberg	Agree
Burnett	Agree
Rothstein	Agree
Latham	Agree
Kelley	Agree

IV. General Business

Mr. Santowasso stated there was no general business to discuss.

V. Next Meeting Date

November 7, 2019 Regular Meeting

All Board members in attendance stated they would be able to attend the November meeting.

VI. Motion to Adjourn

Upon a motion by Mr. Kelley and seconded by Ms. Burnett, the Board unanimously approved the motion to adjourn the regular meeting by a vote of 6-0 at 5:46 pm.

Respectfully Submitted,

Kelly Brown
Administrative Specialist
Village of Pinehurst

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

The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.
Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors. Values:
Service, Initiative, Teamwork, and Improvement.