



**Village of Pinehurst
Planning and Zoning Board
Agenda
January 3, 2013
4:00 pm**

395 Magnolia Road Pinehurst, NC 28374

- 1. Call to Order of the Regular Meeting (4:00pm)**
- 2. Approval of the December 6, 2012 Meeting Minutes**

Public Hearings

1. The purpose of this public hearing is to consider an Official Text Amendment to the Pinehurst Development Ordinance in order to amend Section 10.2.2.2 (b) Table of Dimensional Requirements R-MF Residential, Multi-Family District. The purpose of this amendment is to add a note that allows the reduction of the Lakefront Setback from 60' to 30' in the R-MF Zoning District with a required "view angle" provision. The applicant for this amendment is Marcel Goneau.
2. The purpose of this public hearing is to consider an Official Text Amendment to the Pinehurst Development Ordinance in order to amend Section 12.4 Watershed Protection Overlay District. The purpose of this amendment is to allow for the granting of Special Intensity Allocation to multi-family developments. The applicant for this amendment is Marcel Goneau.
3. The purpose of the public hearing is to consider an Official Zoning Map Amendment. This map amendment would rezone one parcel of land consisting of approximately .68 acres. This property is addressed as 1400 Burning Tree Rd. This property is currently zoned R-10 (Residential). The proposed map amendment would change the zoning of the property to Conditional Use R-MF (Residential Multi-Family). The applicant and owner of the property are John & Linda Mercer. The owners' agent in this request is Marcel Goneau. This property is further defined as being Moore County LRK # 56028.

3. General Discussion

4. Adjournment



**Village of Pinehurst
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Meeting Minutes
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4:00 pm**

395 Magnolia Road Pinehurst, NC 28374

Call to Order of the Regular Meeting (4:00pm)

Chairman Percy Bennett called the meeting to order and welcomed Board members, staff, as well as, those in the audience. Chairman Bennett informed those in the audience that they will be given the opportunity to comment on the public hearing. Chairman Bennett stated that comments should be limited to 3-5 minutes, and that duplication of comments should be avoided.

Board Members present:

*Percy Bennett
Richard Ashton
Fred Engelfried
Byrd Gwinn
Joel Shriberg*

Board members absent:

*Kevin Hardt
Carol Henry
Betty Sapp
Jay Snyder*

Staff present:

Bruce Gould, Senior Planner and Gwendy Hutchinson, Planning and Administrative Assistant. Tammy Kirkley, Village Clerk was introduced to the Board members. Tammy observed the meeting and its procedures.

Approval of the December 6, 2012 Meeting Minutes

Joel Shriberg made a motion to approve the December 6, 2012 Meeting Minutes; Fred Engelfried seconded the meeting, which was unanimously approved.

Public Hearings:

The purpose of the public hearing is to consider an Official Zoning Map Amendment. This map amendment would rezone one parcel of land consisting of approximately .68 acres. This property is addressed as 1400 Burning Tree Rd. This property is currently zoned R-10 (Residential). The proposed map amendment would change the zoning of the property to Conditional Use R-MF (Residential Multi-Family). The applicant and owner of the property are John & Linda Mercer. The owners' agent in this request is Marcel Goneau. This property is further defined as being Moore County LRK # 56028.

Marcel Goneau and Jess Dishner, agents representing the property owners, were present to answer any questions or address any concerns of the Planning and Zoning Board.

Bruce Gould read a portion of the staff report into the record. Based on the surrounding zoning and built environment this rezoning proposal would be consistent and create a transition between the marina facility and other surrounding properties. Additionally, with the development consisting of only 3 units the density would not be out of line with the adjacent uses.

Recommendation:

The Planning Staff recommends approval of the rezoning request to conditional use R-MF, which limits the development of the property to 3 town homes. The proposed use would be limited to meeting all the requirements of the R-MF Zoning District at the time of site plan approval. This staff recommendation is based on the submitted exhibit attached for a three unit town home development.

(A copy of the staff report is available through the Planning Department.)

*Jack Farrell, Citizen read his notes regarding the rezoning into the record.
(Notes are on file and available through the Planning and Zoning Department.)*

After discussion, Fred Engelfried made a motion to approve the request to rezone one parcel of land consisting of approximately +/- .68 acres. This property is addressed as 1400 Burning Tree Road; Richard Ashton seconded the motion. The vote carried 3-2 not to approve the request to rezone the property and not to recommend to Village Council.

The purpose of this public hearing is to consider an Official Text Amendment to the Pinehurst Development Ordinance in order to amend Section 10.2.2.2 (b) Table of Dimensional Requirements R-MF Residential, Multi-Family District. The purpose of this amendment is to add a note that allows the reduction of the Lakefront Setback from 60' to 30' in the R-MF Zoning District with a required "view angle" provision. The applicant for this amendment is Marcel Goneau.

The applicant Marcel Goneau and his business partner, Jess Dishner; were present to answer any questions or address any concerns of the Planning and Zoning Board.

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Bruce Gould, Senior Planner read into the record a portion of the staff report. This amendment is multi-faceted, with the first issue being to reduce the minimum lake setback from 60' to 30'. The second issue being with this reduction additional development criteria would have to be met. The intent of this text amendment is to reduce the lake setback to that which is consistent with the setback allowed in the R-10, R-15 & R-20 single family zoning districts that surround Lake Pinehurst.

Secondarily this proposal will allow new development of R-MF properties the same advantages regarding setbacks as the other multi-family developments around Lake Pinehurst. Staff has reviewed aerial photography of existing multi-family developments adjacent to Lake Pinehurst and found most of the lake front structures in these developments to be located between 30' and 40' from the lake edge or property line.

(A copy of the staff report is available through the Planning Department.)

Jack Farrell, Citizen read his notes regarding this request for a text amendment into the record. (Notes are on file and are available through the Planning and Zoning Department.)

After discussion, Richard Ashton made a motion to approve the text amendment to allow the reduction of the Lakefront Setback from 60' to 30' in the R-MF Zoning District with a required "view angle" provision; Byrd Gwinn seconded the motion. Richard Ashton abstained from voting. The Board voted 3-2 not to approve the text amendment as requested and not to recommend to Village Council.

The purpose of this public hearing is to consider an Official Text Amendment to the Pinehurst Development Ordinance in order to amend Section 12.4 Watershed Protection Overlay District. The purpose of this amendment is to allow for the granting of Special Intensity Allocation to multi-family developments. The applicant for this amendment is Marcel Goneau.

The applicant Marcel Goneau and his business partner, Jess Dishner; were present to answer any questions or address any concerns of the Planning and Zoning Board.

Bruce Gould, Senior Planner read into the record a portion of the staff report.

This amendment is being proposed to allow multi-family developments to receive Intensity Allocations when being developed in the WS II and WS III Watersheds. As the PDO is currently written new multi-family developments in the WS II Watershed must be developed to a density not to exceed one unit per acre or 12% built-upon area (impervious). In the WS-III Watershed new multi-family developments shall not exceed two dwelling units per acre or 24% built upon area. These regulations do not apply to developments in the Village Residential (VR) Zoning District such as the Traditions of Old Towne.

Page 14 of the Comp Plan indicates that the main strategy for the ETJ and future expansion area is to look at alternate development patterns and densities that will protect important resources and enhance the overall character of the community so that Pinehurst will have the ability to guide growth in this area.

(A copy of the staff report is available through the Planning Department.)

Jack Ferrell spoke asking this to be denied until further study. (Notes are on file and are available through the Planning and Zoning Department.)

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After discussion, Byrd Gwinn made a motion to approve amending Section 12.4 Watershed Protection Overlay District to grant Special Intensity Allocation to multi-family developments; Fred Engelfried seconded the motion. The Board voted 3-2 not to approve the text amendment as requested and not to recommend to Village Council.

With no further discussion, the meeting was adjourned.

Submitted by,

A handwritten signature in black ink, appearing to read "G. Hutchinson", written in a cursive style.

Gwendy Hutchinson

Planning and Administrative Assistant
Village of Pinehurst