



**Village of Pinehurst  
Planning and Zoning Board  
Meeting Minutes  
February 7, 2013  
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 member present:**

*Percy Bennett  
Richard Ashton  
Fred Engelfried  
Kevin Hardt  
Carol Henry  
Betty Sapp  
Joel Shriberg*

**Board member absent:**

*Byrd Gwinn  
Jay Snyder*

**Staff present:**

*Bruce Gould, Senior Planner, Gwendy Hutchinson, Planning and Administrative Assistant and Andrea Correll, Planning Director.*

**Approval of the January 3, 2013 Meeting Minutes**

*Fred Engelfried made a motion to approve the January 3, 2013 meeting minutes; Richard Ashton seconded the motion, which was unanimously approved.  
Chairman Bennett opened the Public Hearing.*

**Public Hearings:**

1. The purpose of this public hearing is to consider Official Text Amendments to the Pinehurst Development Ordinance in order to amend Section 2.2 Definitions, Section 10.2.1 Table of Permitted and Special Uses and Section 10.2.1.3 Special Requirements to the Table of Permitted and Special Uses. The purpose of this amendment is to define a “Retirement Community” and include it as a permitted use in the OP (Office and Professional) Zoning District and establish special requirements for retirement communities. The applicant is Julie Shea Sutton.

*Julie Shea Sutton, Applicant and Charles Grant, Developer were present to answer any questions or address any concerns of the Board.*

*Adjacent property owner, John McNeil spoke in favor of the proposed Text Amendment.*

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

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

*These text amendments are being proposed to define and allow Retirement Communities within the Office and Professional (OP) Zoning District with Special Requirements. The applicant is Julie Shea Sutton. If these text amendments are approved along with the associated rezoning it would allow for a 56 unit Retirement Community to be constructed just north of Pinehurst Rheumatology on Murdocksville Rd.*

*The current maximum height in the OP Zoning District is 35’. This proposal would increase that to 40’ for Retirement Communities. The current parking requirement for residential uses is 2 parking spaces per dwelling unit. This proposal would reduce that to 1.25 spaces per dwelling unit for Retirement Communities. Under the current OP zoning district there is no maximum number of dwelling units, however residential uses are not permitted on the ground floor of the principal building. This proposal would limit the maximum number of dwellings to 12 units per acre.*

*After discussion, Kevin Hardt made a motion to approve the Text Amendment to define “Retirement Community” and to make it a permitted use in the OP Zoning District and establish special requirements for retirement communities as this proposal takes into consideration the changing needs and desires of the community and 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; Betty Sapp seconded the motion, to*

*recommend approval of the text amendment to Village Council. The vote was 6-1. Fred Engelfried voted against the text amendment.*

*With no further discussion, Chairmen Bennett closed this Public Hearing and opened the next Public Hearing.*

2. 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 5 acres. This property is addressed as 4176 Murdocksville Rd. This property is further defined as being a part of Moore County LRK # 22010. This property is currently zoned R-10 (Single-family Residential). The proposed map amendment would change the zoning of the property to Conditional Use OP (Office and Professional) for the purpose of developing a "Retirement Community" consisting of 56 units. The applicant for this rezoning is Julie Shea Sutton. The property owner is Kenton R. Lloyd.

*Julie Shea Sutton, and Charles Grant, Applicant; was present to answer any questions or address any concerns of the Board.*

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

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

*This property currently contains ± 10 acres of land. The applicant has under contract to purchase ± 5 acres of this property. The property under contract is the southern portion of the parent tract and contains a single family home that will be removed if the development proceeds. Tax records indicate that the home was built in 1920. This property is currently located within the Pinehurst ETJ and it is the intent of the Village and the applicant that this project be annexed into the Village Limits if the development occurs.*

*The surrounding properties contain multiple zoning designations, land uses and jurisdictions some of which are depicted on the inserted map. The applicant has requested CU-OP as an appropriate transition between these zoning designations and land uses.*

*The property adjacent to this proposed rezoning to the North will consist of the residual acreage from the parent tract and will remain zoned R-10. The current property owner has indicated that they will build a new single family home on the tract to replace their existing home. This property will remain within the Village of Pinehurst ETJ.*

*After discussion, Kevin Hardt made a motion to approve the rezoning with the conditions as presented into the record by the Applicant, Ms. Sutton, as this proposal takes into consideration the changing needs and desires of the community and 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 and recommend to Village Council; Fred Engelfried seconded the motion, which was unanimously approved.*

*Fred Engelfried asked if he could amend his earlier vote to oppose the definition of "Retirement Community". Staff explained that the vote could not be amended but that it would be in the record that it had been requested to do so.*

*(A copy of the conditions are on file and are available through the Planning Department)*

*With no further discussion, Chairmen Bennett closed this Public Hearing and opened the next Public Hearing.*

3. The purpose of this public hearing is to consider an Official Text Amendment to the Pinehurst Development Ordinance in order to amend Section 10.2.1 Table of Permitted and Special Uses and Section 10.2.1.3 Special Requirements to the Table of Permitted and Special Uses. The purpose of this amendment is to include Churches and Community Centers, as a permitted use in the R-5 (Single-family Residential) Zoning District and to amend the Special Requirements associated with Churches and Community Centers in the R-5 Zoning District. The applicant is the Village of Pinehurst.

*Deacon Russ O'Neal was present to answer any questions or address any concerns.*

*Bruce Gould, Senior Planner read portions of the staff report into the record.*

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

*The Village of Pinehurst has recently received a request to add a modular class room building for Love Grove Free Will Baptist Church located at 293 Dawkins Street in the Jackson Hamlet Community along with a request to construct a basketball court adjacent to the Jackson Hamlet Community Center. The Jackson Hamlet Community is zoned R-5 (single-family residential). Churches and Community Centers are currently not allowed in the R-5 Zoning District. The Jackson Hamlet Community currently has two operating churches, one vacant church and a community center. Jackson Hamlet is a predominately African-American community with most residents at or below low to moderate income levels.*

*These amendments are intended to make these existing churches and community centers conforming in their use in order that they may continue to serve the community for its betterment.*

*After discussion Kevin Hardt made a motion to approve the Text Amendment to allow Churches and Community Centers as a permitted use in R-5 as this proposal takes into consideration the changing needs and desires of the community and 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 and recommend to Village Council; Carole Henry seconded the motion, which was unanimously approved.*

*Chairman Bennett indicated these two Public Hearings would be combined due to the nature of these text amendments.*

4. The purpose of this public hearing is to consider an Official Text Amendment to the Pinehurst Development Ordinance in order to amend Section 10.2.1 Table of Permitted and Special Uses. The purpose of this amendment is to include Hotels, Free Standing Parking Garages and Common Wall Parking Garages as a permitted use in the VC (Village Commercial) Zoning District. The applicant is the Village of Pinehurst.

5. The purpose of this public hearing is to consider an Official Text Amendment to the Pinehurst Development Ordinance in order to amend Section 10.2.4.3 (d) (1) Landscaping and Buffering. The purpose of this amendment is to create a process in which the Village Council may waive some or all of the buffering requirements for developments located within the VC (Village Commercial) Zoning District. The applicant is the Village of Pinehurst.

*Bruce Gould, Senior Planner was present to answer any questions or address any concerns of the Board. Bruce Gould read into the record a portion of the staff reports for these two Text Amendments.*

*(Copies of the staff reports are available through the Planning Department)*

*The Village of Pinehurst has recently announced that it has begun preparations to construct a carriage house (two level vehicular parking structure) along Dogwood Rd. between the Holly Inn and the Pine Crest Inn. This will necessitate the extension of the Village Commercial Zoning District along Dogwood Rd to accommodate this facility. In reviewing the zoning changes that need to be made to allow for the development of this structure and the continuation of the Village Center allowing for Hotels and Parking Garages in the Village Commercial Zoning District will be necessary. Therefore, the Village of Pinehurst is proposing this amendment to allow Hotels and Parking Garages in the VC Zoning District as a permitted use.*

*It is the intention of Village Staff to bring forth a petition to amend the zoning map to rezone this area to further facilitate the expansion of the village center as outlined in the 2010 Comprehensive Long Range Plan and to accommodate this park.*

*In reviewing the zoning changes that need to be made to allow for the proper development of this structure and the continuation of the Village Center the Landscape and Buffering section of the PDO needs revising to allow for a more urban development scenario than is currently allowed. Therefore, the Village of Pinehurst is proposing this amendment to allow for the Village Council to make exceptions to the landscape buffering requirements for properties located within the VC Zoning District.*


*Page 42 of the 2010 Comprehensive Long Range Plan recommends that the Village Center be carefully expanded to maintain and enhance its overall character and ambience while making it more a part of residents' everyday lives. In the telephone survey, 56 percent of respondents indicated they would support expansion of the Village Center areas to provide more businesses and other activities.*

*After discussion, Kevin Hardt combined the two Text Amendments for the parking garage and landscaping into one motion to approve as this proposal takes into consideration the changing needs and desires of the community and is therefore deemed to be in accordance with the 2010 Comprehensive Plan. Achieving goals in accordance with the Comprehensive Plan is considered*

Village of Pinehurst  
Planning and Zoning Board  
February 7, 2013  
Meeting Minutes

*reasonable and in the best interest of the public and recommend to Village Council; Carole Henry seconded the motion, which was unanimously approved.*

*With no further discussion, the meeting was adjourned.*

Submitted by,  
  
Gwendy Hutchinson  
Planning and Administrative Assistant  
Village of Pinehurst