

Village of Pinehurst
Planning and Zoning Board
April 7, 2016
Meeting Minutes

Planning and Zoning Board
April 7, 2016
Assembly Hall
4:00 p.m.



MINUTES

Committee Members in Attendance:

Joel Shriberg, Vice Chair
Richard Ashton, Board Member
Carol Henry, Board Member
Leo Santowasso, Board Member
Betty Sapp, Board Member

Committee Members Absent:

Fred Engelfried, Chair
David Kelley, Board Member
Myles Larsen, Board Member
Jay Snyder, Board Member

Staff in Attendance:

Kevin Reed, Planning and Inspections Director
Bruce Gould, Principal Planner
Alex Cameron, Planner
Gwendy Hutchinson, Planning and Administrative Assistant

I. Call to Order

Vice-Chair Joel Shriberg filling in for Chair Fred Engelfried; called the meeting to order and determined that there was a quorum present.

II. Approval of Minutes: March 3, 2016

Leo Santowasso made a motion to approve the March 3, 2016 Minutes; Betty Sapp seconded the motion, which was unanimously approved.

III. Motion to Recess the Regular meeting and go into a Public Hearing

Richard Ashton made a motion to recess the regular meeting and open the Public Hearing; Betty Sapp seconded the motion, which was unanimously approved.

IV. Public Hearing:

1. The purpose of the public hearing is to consider an Official Text Amendment to the Pinehurst Development Ordinance, section 8.6 SR-105 Swimming Pools and Spas/Hot tubs and Section 10.2 Definitions. This amendment will allow above ground seasonal swimming pools and establish the requirements and regulations for them. The applicant is the Village of Pinehurst.

Kevin Reed, Planning and Inspections Director read portions of the staff report into the record.

V. Motion to close the Public Hearing

Leo Santowasso made a motion to close the Public Hearing; Carol Henry seconded the motion, which was unanimously approved.

Board Member Leo Santowasso asked if any other permits would be required.

Kevin Reed, Planning and Inspections Director, responded that a change-out permit for electrical would be required for any pumps that are installed for filtration purposes; but most of the units are plug and play requiring no permits.

After discussion, Leo Santowasso made a motion to approve the Text Amendment Section 8.6 SR-105 Swimming Pools and Spas/Hot Tubs and Section 10.2 Definitions; Carol Henry seconded the motion, which was unanimously approved.

VI. Motion to Recess the Regular meeting and go into a Public Hearing

Richard Ashton made a motion to recess the Regular Meeting and go into a Public Hearing; Betty Sapp seconded the motion, which was unanimously approved.

2. The purpose of the public hearing is to consider an Official Zoning Map Amendment. This map amendment would rezone two parcels of land consisting of approximately .95 and 1.8

acres. These properties are addressed as 165 and 215 Dr. Neal Road. These properties are further defined as being Moore County LRK #'s 97000604 and 00036428. The properties are currently zoned OP (Office and Professional). This proposed map amendment would change the zoning of the properties to R-20 (Single-family Residential w/ a minimum lot size of 20,000 sq. ft.). The properties are currently vacant. The applicant and the owner for this rezoning is Kenneth Rhea.

Bruce Gould, Principal Planner read portions of the staff report into the record and stated that he certified that notices were sent out to adjoining property owners and that properties had been posted.

Pete Mace, Broker was present to answer any questions or address any concerns of the Board.

Randy Newcomer of Grays Creek General Contractor and potential homeowner stated that he is wanting to build a home at this location overlooking the Longleaf Golf Course.

VII. Motion to close the Public Hearing

Carol Henry made a motion to close the Public Hearing; Betty Sapp seconded the motion, which was unanimously approved.

Bruce Gould, Principal Planner stated in the staff report that both of these properties are on the Village of Pinehurst, side of the annexation agreement with the Town of Southern Pines. If this rezoning was to be granted and the properties developed for single-family purposes there would be no means for the Village to incorporate these properties into the corporate limits of Pinehurst. The result would be the inability for Pinehurst to expand its corporate boundary and would leave a service gap between two municipalities.

The Village does not have any small area plans or detailed plans to determine what zoning changes should be anticipated in the future, However, the Village Council has indicated a desire in the next fiscal year to conduct a land use analysis to help better guide future land uses and decisions for the Village.

The Planning Staff is concerned with downzoning any of the limited commercially zoned properties within the corporate limits of Pinehurst or its ETJ at this time. Staff recommends against this rezoning until the land use analysis is complete to better serve the Village as a whole in the future.

Bruce Gould, Principal Planner indicated these properties are removed from major roadways and the requested change would be compatible with surrounding properties and zoning.

Leo Santowasso asked Bruce when the land use analysis would be done and Bruce responded in the fall of 2016.

With no further discussion, Leo Santowasso made a motion to approve the request of rezoning two tracks of land, currently zoned OP Office and Professional and to rezone it to R-20 Single-Family Residential. There was not a second to this motion.

Betty Sapp made a motion to continue this request to rezone two parcels of land currently Zoned OP – Office and Professional to R-20 Single-Family Home; Richard Ashton seconded the motion, which was unanimously approved. This request to rezone is continued until Thursday, April 14th at 4:00 pm.

VIII. Motion to Recess the Regular meeting and go into a Public Hearing

Betty Sapp made a motion to recess the regular meeting and go into a Public Hearing; Carol Henry seconded the motion, which was unanimously approved.

3. The purpose of the public hearing is to consider an Official Zoning Map Amendment. This map amendment would rezone two parcels of land consisting of approximately .11 and 6.4 acres. These properties are addressed as 205 McCaskill Road East. These properties are further defined as being Moore County LRK #'s 00025962 and 00025798. The properties are currently zoned NC (Neighborhood Commercial), VMU (Village Mixed Use) and PC (Public Conservation). This proposed map amendment would change the zoning of the properties to VMU-CD (Village Mixed Use- Conditional District). The property contains a vacant office building and outbuilding. The proposed use of the property is 72 apartment units and a mixed use commercial building containing ±35,000 square feet. The applicant is John Allen with Kuester Companies and the owners of the properties are Moore Investment Group, LLC and Resorts of Pinehurst Inc.

Bruce Gould, Principal Planner read portions of the staff report into the record and stated that he certified that notices were sent out to adjoining property owners and that properties had been posted.

Bob Koontz, of Koontz Jones Design; representing the Kuester Company, was present to answer any questions or address any concerns of the Board.

Bob Koontz presented a PowerPoint presentation of the two parcels with plans for a 72-unit apartment building and additional plans for a 35,000 square foot mixed-use building that would have retail, office and residential to be built in Phase II. Plans for Phase II have not been finalized. Bob stated that he thought that this project is a start in bringing life to this area.

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Resident, Keafer Welch has lived in the Village for five years. Keafer stated that he is concerned with the plans for the mixed uses and the density of the apartments. He asked what the rent would be.

John Allen, Developer for the Kuester Company responded that a 1 bedroom would be \$900; 2 bedroom will be \$1,200-\$1,250; and that a 3 bedroom would be \$1,400-\$1,600.

Keafer Welch stated that this was important as this proposed building could set a standard for future plans for New Core.

Bob Koontz responded that plans for sidewalks, street lights, streetscaping and landscaping match plans for New Core.

Tom Campbell, Resident asked how does historic come into play. Note: This area is not in the Historic District.

Judy Davis, Resident and member of the Historic Commission asked what the length of the elevation along Magnolia Road is. The response as to the length of the elevation along Magnolia Road is 210'. She went on to say that it looks like army barracks not like a hotel or lodge. Judy also stated her concerns on density. She asked if they have looked at lowering the number of units and have larger unit sizes.

John Allen responded that they have done very well in Fort Mill, South Carolina and since building similar apartments there, new businesses and restaurants have been built. He went on to say that the apartments would be for young professionals, and retirees who are looking to downsize.

Bob Koontz added that it will bring people closer to downtown, where they can shop and dine.

Judy Davis responded that this is Pinehurst not Fort Mill and the design looks "rather ordinary".

Lynn Muir, Resident on McKenzie Road stated that she is concerned about the density of the apartments and the increase in traffic. This will greatly impact all of us in this area. She is also concerned with the design of the apartment building as being "unimaginative". She went on to say that she is worried about the Village losing its charm and that she cannot reconcile the scale of this project and that she is extremely concerned.

John Strickland, Resident at 6 Village Lane, raised his concerns with the Board. His concerns include; the remediation of the soil in the area of the steam plant, is there confirmation from DENR that all is right with this property? John went on to share with the Board his concerns with a stream running through the Arboretum, the impact of the

increase in traffic, the appearance from the Arboretum and Village Hall, the future uses for the Arboretum, the impact of the density, and asked is this the type of housing the Village needs.

Bob Koontz responded that the building will set off the road and that the trees that have been planted will remain as well as the 40' to 50' trees will remain along the road. Bob also stated that a main sewer line runs along that side of the property and that a 30' easement is required, so the building will be set back from the road.

Dick Bisbee, Resident for 25 years stated his concerns as to the impact of increased traffic, the size, density, and the design of the proposed apartments as well as the impact on the Arboretum. What do we want the Village of Pinehurst to look like in 25 years?

IX. Motion to close the Public Hearing

Leo Santowasso made a motion to close the Public Hearing; Richard Ashton seconded the motion, which was unanimously approved.

P & Z Board Member, Leo Santowasso asked if there is enough water and sewer capacity from Moore County Public Utilities and the response was yes. Leo asked if there has been a more detailed traffic study done and the response was no. Leo asked if having a driveway onto McCaskill was safe. Leo asked if there has been a wetland assessments and the response was yes.

Vice-Chair Joel Shriberg referred to page 5 of the staff report and asked if all involved in this project were ok with complying with the staff recommendations and the response was yes. Joel also asked if the plantings of the new trees will be sufficient. Bob Koontz responded that the plantings will be of sufficient height and that the existing trees will aid in buffering the apartment building

P&Z Board Member, Richard Ashton commented that the hill on McCaskill is a concern.

With no further discussion, Leo Santowasso made a motion to approve the proposed rezoning at 205 McCaskill Road East with the recommendations stated in the staff report and comments raised at this meeting. There was not a second made.

Betty Sapp made a motion to continue this meeting; Richard Ashton seconded the motion, which was unanimously approved. This request to rezone will be continued until Thursday, April 14th at 4:00 pm.

X. New Business

There was no new business to discuss.

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XI. Next Meeting Date: April 14, 2016

XII. Comments from attendees

(See above)

XIII. Motion to Adjourn

Betty Sapp made a motion to continue the meeting on April 14, 2016. The motion was seconded by Richard Ashton and carried unanimously. The meeting adjourned at 6:00 p.m.

XIV. April 14, 2016 Planning and Zoning Meeting - Continued from the April 7, 2016 Planning and Zoning Meeting

Board Members present:

Fred Engelfried, Chair
Joel Shriberg, Vice Chair
Richard Ashton, Board Member
Carol Henry, Board Member
Leo Santowasso, Board Member
David Kelley, Board Member
Myles Larsen, Board Member
Jay Snyder, Board Member

Board Member Absent:

Betty Sapp, Board Member

Staff Present:

Kevin Reed, Planning and Inspections Director
Bruce Gould, Principal Planner
Gwendy Hutchinson, Planning and Administrative Assistant

Chair Fred Engelfried stated that this meeting was continued from the April 7, 2016 and that there was a quorum. He then turned the meeting over to Joel Shriberg, Vice Chair as he chaired the April 7, 2016 meeting.

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David Williams. Broker stated that the neighbors are in favor of the Zoning Map Amendment. Mr. Williams went on the say that Dr. Rhea has tried to sell this property over the course of six years and has not found anyone to interested in it as it currently zoned.

Dr. Rhea stated that the property is not selling as buyers prefer to have road frontage. This property is not visible from Midland Road and this adds to its being unpopular to buy and develop.

Fred Engelfried asked about Fire/Police and where they come into play. The response was that would have to come from the county as it will not be in the jurisdiction of Southern Pines nor the Village of Pinehurst.

Miles Larsen stated that he went to the property and walked around. It was his impression that the surrounding properties felt more residential in nature.

Jay Snyder asked how this compares with the Comp Plan. Bruce Gould, Principal Planner stated that the surrounding properties are consistent.

With no further discussion; Leo Santowasso made a motion to approve the Zoning Map Amendment as proposed to change the zoning from OP (Office and Profession) to R-20 (Single Family Homes) with a minimum lot size of 20,000 square feet as it takes into consideration the changing needs and desires of the community and is therefore deemed to be in accordance with the 2010 Comprehensive Plan amended October11, 2011; Carol Henry seconded the motion, which was unanimously approved.

The purpose of the public hearing is to consider an Official Zoning Map Amendment. This map amendment would rezone two parcels of land consisting of approximately .11 and 6.4 acres. These properties are addressed as 205 McCaskill Road East. These properties are further defined as being Moore County LRK #'s 00025962 and 00025798. The properties are currently zoned NC (Neighborhood Commercial), VMU (Village Mixed Use) and PC (Public Conservation). This proposed map amendment would change the zoning of the properties to VMU-CD (Village Mixed Use- Conditional District). The property contains a vacant office building and outbuilding. The proposed use of the property is 72 apartment units and a mixed use commercial building containing ±35,000 square feet. The applicant

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is John Allen with Kuester Companies and the owners of the properties are Moore Investment Group, LLC and Resorts of Pinehurst Inc.

Vice-Chair Joel Shriberg asked if there was anyone from the audience that would like to speak regarding the re-zoning of 205 McCaskill Road.

Pat Corso, Executive Director of Partners in Progress spoke in favor of the re-zoning. Mr. Corso stated that the Village has been working on developing a plan for this area previously known as New Core and now Village Place. The Village concluded that the best approach to developing this area would be incremental or piece by piece with the hope of finding an anchor to stimulate new development. That anchor is before you today and I urge you to approve this request for rezoning.

Craig Becker, resident, asked about property values for Graham and McCaskill Road. Mr. Becker stated that he was afraid of property values lowering if this project goes through.

Debbie Layer, resident, stated her concerns over parking. Bruce Gould, Principal Planner responded that the plans call for more parking spaces than what is required.

Jim Lewis, resident, stated that the concept was ok, but he was concerned about the height of the building and the impact on the Arboretum. "I can see where towels and bathing suits will be hanging from the balconies." Mr. Lewis also stated that outdoor furniture could turn into unsightly conditions at the ground level.

Mark Fishero, architect, stated that they flew a balloon that at 55' and that it was difficult to make it out when looking from several directions due to the tall trees in that area. Mr. Fishero also stated that the parking will be covered.

Mr. Lewis asked where the trash dumpsters will be located. Mr. Fishero responded that they will be in the back of the building. Mr. Lewis asked about the residents and renting. Mr. Fishero responded that the residents would be young professionals and those that are retiring or downsizing.

A resident asked about outside lighting? Mr. Fishero stated that there will be outside lighting and the plans are available for review through the planning department.

Leo Santowasso asked if there was any outside storage. Mr. Fishero responded that there were storage lockers. Mr. Santowasso asked if parking will be just for parking and not for storing household items. The response was that the garages are for parking vehicles only.

Joel Shriberg, Vice-Chair asked if the building could be replicated for visual purposes.

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Mark Fishero stated that the apartments will have luxury upgrades throughout the building. Mr. Fishero confirmed that the back of the building will be facing Magnolia Road. He also stated that the large and tall trees will buffer the building from the Magnolia Road and the Arboretum. The balconies will be constructed with craftsman siding, and roof overhangs to give this a feel of the Village, much like the Resorts and other hotels in the area. The roof will be green asphalt and they have added additional windows. The tower is 59' at its peak. The tower on the corner is a marker for the corner of McCaskill Road and Magnolia Road.

Leo Santowasso commented on the height of the ceilings. Mark Fishero responded that the top floor apartment will be 12' in height.

Resident Byrd Hall stated that he does not see the luxury in these apartments and he feels that the units are too small.

Mark Fishero described the corridors and chandeliers in each unit and stated that the interiors will be very nice. The balconies are waterproof and sloped and are constructed in a higher quality than most. Mr. Fishero stated that these apartments are similar to the ones they built in Fort Mills, South Carolina. These are similar in size and are built with quality in mind. The apartments will consist of one-bedrooms at 800 square feet; two-bedrooms at 1100 square feet and 3-bedrooms at 1250-1300 square feet.

John Allen, Vice-President of Kuester responded to concerns about the tenants that will be occupying these units. Mr. Allen stated that there will be an on-site Manager that will be living in one of the apartments. Mr. Allen described the units as all having high quality fixtures throughout. He also stated that a small fitness center on-site will enhance the Arboretum. "The Greens at the Arboretum will enhance the Village in terms of vibrancy."

Jay Snyder asked about exceeding height limitation and asked if this will be a contract agreement to have on the record.

Leo Santowasso stated that garages are garages and is concerned that they will be occupied with storage.

Mark Fishero responded that the garages are not large; they are 12' wide and 22' in length.

Joel Shriberg asked who has the authority of vegetation in the right-of-way. There are concerns with traffic at Rattlesnake Road and onto McCaskill Road by using the second entrance.

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Bob Koontz, Koontz-Jones Design stated that the property will be two separate properties. The apartments will be Phase I and the other property to be sold will be Phase II. There are no plans for Phase II other than it will be for commercial use.

Leo Santowasso asked if that meant that there will be two separate ownerships and the answer was yes.

Molly Rowell, Chair of the Conservation Committee asked if this project will be a "Green Building." Mark Fishero responded that their General Contractor for this project is a Green Builder and will do so on this project.

Judy Davis commented that the project is left without a stunning design. Ms. Davis suggested that the Developer and Architect hold a public forum, as DOT has done for proposed work on Midland Road.

Joel Shriberg asked Bruce Gould, Principal Planner what the next steps were.

Bruce Gould, Principal Planner stated that they were presented with a concept plan to make a recommendation to Village Council. You may do the following: Approve, Deny or Approve with Conditions. Conditions need to be fair and reasonable and must be acceptable to the applicant.

Jay Snyder asked if this could be turned into on-line rentals or turned into a hotel.

Mr. Fishero stated that their by-laws will not permit it and that sub-letting was not permitted as well.

Jean Cassanello asked about Section 8 housing and Mr. Fishero responded that there will not be any units used for Section 8.

Mark Fishero stated that 6 months is the shortest time to rent.

John Strickland, Resident stated the following: Revenue – driven by need; and impact of density will have on the Village.

At this point, Joel Shriberg, Vice-Chair stated that this concludes remarks from citizens.

Jay Snyder stated that they should review permissible use districts and ask if this will enhance the Village and if this is congruous with the neighborhood.

Judy Davis asked what the intent of use of land is for Phase II.

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Fred Engelfried, Chair remarked that public comments should be considered and suggested that a few members of the Board should meet with staff to come up with conditions.

Leo Santowasso stated his concerns with the concept, scale, mass, exceptions, and the future development of Phase II. He stated that any conditions made should apply to the total tract for Phase I and Phase II.

Jim Lewis stated his concerns of the towels on the balcony and if that will be properly managed.

Joel Shriberg stated that the size of projects could set standards going forward. The Board needs to address the concerns of the citizens.

Myles Larsen commented on Judy Davis's suggestion to hold a public forum.

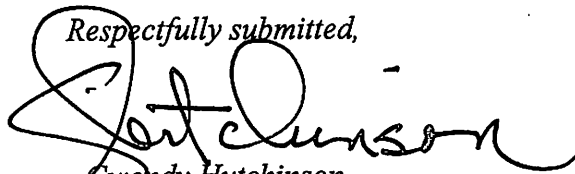
Jay Snyder stated his concerns on the exception for the height of the building.

Joel Shriberg, Vice-Chair turned the meeting over to Chair Fred Engelfried who then asked who would like to serve on the sub-committee charged with recommending conditions for approval. Myles Larsen, Leo Santowasso and Jay Snyder agreed to serve on the sub-committee and will work with staff.

The next meeting will be: May 5, 2016 at 4:00 p.m.

With no further discussion, Joel Shriberg made a motion to adjourn the meeting; Leo Santowasso seconded the motion, which was unanimously approved.

Respectfully submitted,



*Gwendy Hutchinson
Planning and Administrative Assistant
Village of Pinehurst*