



**VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF JULY 14, 2020
ASSEMBLY HALL
395 MAGNOLIA RD.
PINEHURST, NORTH CAROLINA
4:30 PM**

1. Call to Order.

2. Reports:

Manager

Council

3. Motion to Approve Consent Agenda.

All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held unless requested by a member of the Village Council.

A. Approval of Village Council Meeting Minutes.

End of Consent Agenda.

4. Present Resolution to David Kelley Honoring His Service on the Board of Adjustment and Planning and Zoning Board.

5. Motion to Recess Regular Meeting and Enter Public Hearing.

6. Public Hearing No. 1.

The purpose of the public hearing is to consider an Official Zoning Map Amendment. This map amendment includes one parcel of land consisting of approximately 4.5 acres further identified as Moore County PID # 00029674 and would zone the property PC-CD (Public Conservation – Conditional District). The property is currently zoned PC (Public Conservation District). The proposed rezoning will allow for the addition of a 7,317 square foot education building and associate site features. The applicant and property owner is Village Chapel, Inc.

7. Motion to Adjourn Public Hearing and Re-Enter Regular Meeting.

8. Discuss and Consider Ordinance 20-07 Amending the Official Pinehurst Zoning Map (Village Chapel).

9. Discuss and Consider a Budget Amendment for FY 2021 Fall and Spring Traffic Circle Plantings.

10. Discuss and Consider an Ordinance Repealing an Established Ordinance and Amending the Municipal Code for the Community Appearance Commission.

11. Discuss and Consider a Resolution Granting an Easement to Verizon Wireless.

12. Other Business.

13. Comments from Attendees.

14. Motion to Adjourn.

Vision: 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.



**COUNCIL
ADDITIONAL AGENDA DETAILS:**

ATTACHMENTS:

Description

- ▣ Key Partner and Collaborators List



Council Member to Report	Partners & Collaborators
John Strickland	Moore County Transportation Committee
	Neighborhood Advisory Committee
	Pinehurst Resort
Judy Davis	Tri-Cities Work Group (Pinehurst, So. Pines, Aberdeen)
	FirstHealth
	Moore County
Lydia Boesch	Pinehurst Business Partners
	Convention and Visitors Bureau
	Bicycle and Pedestrian Advisory Committee
Kevin Drum	Triangle J. COG
	Partners in Progress
	NCDOT/TARPO
Jane Hogeman	Beautification Committee
	Moore County Schools



**APPROVAL OF VILLAGE COUNCIL MEETING MINUTES.
ADDITIONAL AGENDA DETAILS:**

FROM:

Beth Dunn

CC:

Jeff Sanborn

DATE OF MEMO:

7/7/2020

MEMO DETAILS:

Attached are the draft minutes from the June 23rd regular meeting and work session and the June 24th and 30th special meetings.

ATTACHMENTS:

Description

- ☐ June 23, 2020 Regular Meeting
- ☐ June 23, 2020 Work Session
- ☐ June 24, 2020 Special Meeting
- ☐ June 30, 2020 Special Meeting



**VILLAGE COUNCIL
MINUTES FOR REGULAR MEETING OF JUNE 23, 2020
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:30 PM**

The Pinehurst Village Council held a Regular Meeting at 4:30 p.m., Tuesday, June 23, 2020 in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Mr. John C. Strickland, Mayor
Ms. Judy Davis, Mayor Pro Tem
Mr. Kevin Drum, Councilmember
Ms. Lydia Boesch, Councilmember
Ms. Jane Hogeman, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Beth Dunn, Village Clerk

And approximately 27 attendees, and 8 staff members.

1. Call to Order.

Mayor Strickland, called the Village Council meeting to order.

2. Reports:

Village Manager

- Nothing to report.

Village Council

- Mayor Strickland stated that First Health reported that hospitalizations remain steady and occupancy is at a normal level.
- Councilmember Drum stated it was nice to be part of the regional partnerships during this time of adversity. He attended the TriCities meeting today and they discussed the border within quarter mile of each municipality.
- Councilmember Hogeman stated there is a TARPO meeting on June 11th. NCDOT has had to delay 250 projects because of budget cuts.
- Councilmember Boesch introduced four members of the Pinehurst Robotics Club, Alyssa Hutchison, Houston Wrona, Winston Pound, and Ephraim Boyte. A fifth member, Hannah Kirkpatrick couldn't be present at the meeting. Councilmember Boesch explained the group of teens came up with an idea of creating thank you cards and goodie bags, with candy and treats, for the Police Department to show how much they appreciate what the Police do. The group's idea was placed on Next Door, a social media platform, to solicit community support and the support poured in. They received gift cards/certificates from local businesses, key chains, baked goodies, and candy for goodie bags being assembled. Council watched a short video about the project, produced by Houston Wrona. Mayor Strickland stated this was a great thing and he appreciates their effort. The group was headed over to the Pinehurst Police Department to present the cards and gifts to the Police Officers and staff.

3. Motion to Approve Consent Agenda.

All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held unless requested by a member of the Village Council.

- May, 2020 Public Safety Reports
- Approval of Village Council Meeting Minutes.
 - June 9, 2020 Regular Meeting
 - June 9, 2020 Work Session
 - June 15, 2020 Special Meeting
- Budget Amendments Report.

End of Consent Agenda.

Upon a motion by Councilmember Hogeman, seconded by Councilmember Boesch, Council unanimously approved the Consent agenda, by a vote of 5-0.

4. Presentation of Resolutions for Molly Gwinn and Jim McChesney Honoring Their Service on the Historic Preservation Commission.

Mayor Pro Tem Davis presented Molly Gwinn with a resolution adopted by Village Council honoring her for her service on the Historic Preservation Commission. Mayor Strickland, presented Jim McChesney with a resolution adopted by Village Council honoring him for his service on the Historic Preservation Commission.

5. Presentation of Volunteer Champion Club Nominees and Winner.

Jeff Sanborn, Village Manager, announced the nominees for this year's Volunteer Champion Club, which is part of our reward and recognition program for volunteers. This year's nominees were Molly Gwinn with the Historic Preservation Commission, Cody Smith with Parks and Recreation, and Nancy Donahue with the Welcome Center. Mr. Sanborn explained that all the nominees are deserving of the award but we could only pick one winner, which is Molly Gwinn. Mr. Sanborn presented Molly Gwinn with the Champion Club trophy and a framed photo.

6. Discuss Regulations Regarding Public Disturbances and Nuisances.

Mayor Strickland stated he wanted to address some disturbing problems that resulted from a large, pay to attend, party that happened on June 23rd at 25 Magnolia Road. He explained the event was not known in advance by Village officials or residents, nor was it in keeping with customary social activity in Pinehurst. According to police and residents who observed the event over several hours, attendees numbered at least 75 people and our citizens were subjected to loud and harassing music and commentary by a DJ. Attendees inappropriately used the Carolina Hotel parking lot and cause property damage while walking through private property. Mayor Strickland noted that he has meet with the Village Manager, Police Chief Phipps, and Planning Director to discuss what actions could be taken and what codes and ordinances need to be changed.

Jeff Sanborn, Village Manager, explained it appears the individual who rented the property didn't reveal the intended use to the rental company. Social media was used to advertise the event with a required cover charge. The party was effectively shut down around 10:30 p.m. and some party goers then went on to the Resort's property. He explained there were Village ordinances violated such as the noise ordinance and zoning ordinance, as the property was used as a commercial property. There also seemed to have been illegal drug activity and criminal trespassing, as people spilled out onto other surrounding properties. Mr. Sanborn suggested working with property owners, amending ordinances to give citations, amending the municipal code to include a penalty for noise violations, and require permits to hold outdoor events that have amplified sound.

Victoria Adkins, Pinehurst resident, stated she felt let down by Village services this past weekend. She believes the Village needs to institute a decibel noise ordinance for the Police to enforce.

Russell Sugg, Pinehurst resident, stated this property is a nuisance to his family and their patience has run out. The short term rentals are not conducive to the neighborhood. He asked if there were there any DWI's issued as a result to people leaving the party. He stated would like Council to investigate what they will do if this type of event happens again.

Lisa Case, Pinehurst resident, read a letter she sent to Council explaining the events that occurred the night of the party. She stated she called the police in the early evening and was told this was a single day rental. She didn't see much of a police presence during the evening. She called the rental agency, Sandhills Rental, and was told the only restriction was 12 people were allowed to sleep there and nothing prohibited them from being there. She doesn't believe single day rentals are appropriate in a residential neighborhood.

Bill Case, Pinehurst resident, stated he feels there should be strict liability for home owners and rental companies for violations of ordinances. This will make them more careful about who they let in.

Marcus Larose, with Sandhill Rental, apologized for the inconvenience, stress, and hardship the loud and vulgar music caused Pinehurst residents and guests and stated he does not condone this behavior at any of his rental properties. He noted they have already implemented a maximum occupancy policy for each rental property. This policy will include a maximum number of how many people can sleep at a property, how many people can be at the property at any given time, and a maximum number of vehicles allowed at the property. This policy will give them the power to stop un-permissible parties and to terminate the rental agreement should the policy be violated. He noted that he plans to take care of the cost associated with the repair to a neighbor's property damage.

Council will continue to discuss these issues and decide a path way forward to prevent events like this from happening again.

7. Review and Update Financial Purchasing Policies to Comply with Federal and State Regulations.

Brooke Hunter, Financial Services Director, explained that over the past couple years, there have been changes to the state statutes and federal regulations related to local government purchasing. Staff is proposing changes to our financial policies to comply with the regulations required for purchases using federal funds and purchases using electronic payments. Ms. Hunter explained that all the proposed revisions reflect the recommendations and guidance provided by the Local Government Commission (LGC) and the UNC School of Government.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Drum, Council unanimously approved resolution 20-21 adopting and amending financial policies of the Village of Pinehurst and resolution 20-22 authorizing the Village to engage in electronic transactions, by a vote of 5-0.

8. Discuss and Consider Changes to the Policy on the Administration of the Position Classification and Pay Plan Recommendations.

Angie Kantor, Human Resources Director, explained the Human Resources Department contracted with The MAPS Group Inc. in FY 19-20 to perform a partial classification and pay study. This year the study included Buildings and Grounds, Fleet Maintenance, Harness Track and Public Services. The consultant conducted a salary survey of comparable organizations, updating class specifications for each positions, and making recommendations for position classification changes and policy changes. Ms. Kantor reviewed the recommended changes based on the study.

Ms. Kantor explained there are also a couple of recommended changes the policy outlining the administration of our pay plan. There were two minor changes in the policy to clarify current practice: (1) Promoted employees are eligible for merit increases prorated from the promotion date and (2) Positions are reviewed during the budget process and during the performance evaluation process. Ms. Kantor also explained they are recommending increasing the pay grades by 1.8% based on the average Consumer Price Index (CPI) for calendar year 2019, as outlined in the policy. Merit increases would continue to be offered, based on performance for the fiscal year, at a range of 0% to 3%. Councilmember Hogeman asked what the total cost of the merit increases will be. Brooke Hunter, Financial Services Director, explained that the cost is around \$150,000 for all merit increases, which is budgeted at 2%, and just below that for COLA increases, as they are at 1.8%.

Upon a motion by Councilmember Boesch, seconded by Mayor Pro Tem Davis, Council unanimously approved resolution 20-23 amending the Policy on the Administration of the Position Classification and Pay Plan and the pay ranges in the Position Classification and Pay Plan, by a vote of 5-0

9. Discuss and Consider a Resolution Authorizing the Lease of Village Property.

Jeff Batton, Assistant Village Manager, stated this agenda item was to discuss a 10 year lease for Barn 1 at the Harness Track to Pinehurst, LLC in exchange for 2.3 acres adjacent to Bretton Woods with a tax value of \$95,100. The property is adjacent to approximately 6 acres already owned by the Village. Mr. Batton explained they have took advantage of several transactions to acquire the property in this area over the few years. Jeff Sanborn, Village Manager, stated that acquiring this property would expand what we have and makes it more valuable.

Councilmember Hogeman stated she would like to acquire a Title Search, Survey, and an Environmental Phase 1 Study before approving the lease and accepting the property. Council discussed entering into the lease subject to conditions. Councilmember Hogeman asked if we had a standard operating procedure for acquiring property. Mr. Batton stated we did not, we usually handle on a case by case basis.

Upon a motion by Councilmember Drum, seconded by Councilmember Boesch, Council approved resolution 20-24 authorizing the lease of Village property to Pinehurst, LLC and authorizing the Mayor or his designee to execute any instruments necessary for the lease upon receiving a clean title and no unexpected easements or other encumbrances, by a vote of 4-1.

10. Discuss and Consider Solid Waste Contract for Lofton Garbage Services for FY 2021.

Mike Apke, Public Services Director, explained this item is to consider renewing a contract for solid waste collection services within CCNC for FY 2021. Mr. Apke stated that Lofton Garbage Services is one (1) of two (2) current providers of service within CCNC; however, the estimated value of the second provider's contract (Becky's Rubbish) is well under the Village Manager's threshold for execution. The proposed Lofton Garbage Services contract renewal is for 12 months beginning on July 1, 2020 and extending through June 30, 2021. Mr. Apke explained that the amount of Lofton's contract is estimated to be between \$110,000 and \$115,000, with the actual amount being based on the total number of residences served during the contract period. The solid waste representative for the CCNC HOA, who expressed that the community is very satisfied with both Lofton Garbage Service and Becky's Rubbish, and expressed no concerns with renewing both contracts for FY 2021.

Upon a motion by Councilmember Boesch, seconded by Councilmember Drum, Council unanimously authorized the Mayor or his designee to execute a contract with Lofton Garbage Services for solid waste services to CCNC for fiscal year 2021, by a vote of 5-0

11. Discuss and Consider Ordinance 20-06 Accepting Roads in Walker Station.

Jeff Batton, Assistant Village Manager, The Walker Station development is approaching total build-out and they are now ready to dedicate the roads and sidewalks to the Village of Pinehurst. Dedication of the roads at the appropriate point was the intent at time of development approval. The Village's Engineering Standards Manual specifies that dedicated roads within new developments should not occur until at least 75% of the platted lots are developed. Walker Station has exceeded that threshold. Village staff have inspected the infrastructure, required a few repairs which have occurred and determined the roads and sidewalks are in acceptable condition for acceptance. Mr. Batton also noted there are some sidewalk easements in favor of the Village of Pinehurst that would be included with the dedication. These are areas where the sidewalk veers out of the public right-of-way to be dedicated.

Upon a motion by Mayor Pro tem Davis seconded by Councilmember Boesch, ordinance 20-06 accepting the roads in the Walker Station Development designated as Station Avenue and Manning Square and the sidewalks, rights-of-ways, and pedestrian easement, by a vote of 5-0.

12. Other Business.

No other business was discussed.

13. Comments from Attendees.

Colon Wood, Pinehurst Resident, submitted the following public comment by email: A suggested list of improvements in the Village of Pinehurst to promote and project the image of Pinehurst.

- 1) Needs a NEW landscape plan. To include: up lighting, music, more color, small trees lining streets, rocking chairs, benches on corners. (Maybe in lieu of trash cans).
- 2) Consider changing Chinquapin Rd. to a ONE WAY with alternating angled parking on each side. Eliminating "big truck" access

(currently tearing up tree limbs and blocking traffic), and encouraging a more walking relaxing, listen to the music, eat, shop and enjoy, atmosphere.

3) Directing Parks and Rec to make better use of Tuffs Park. (Croquette events, Badminton, sitting Volleyball, light wear on turf activities ... afternoon and early evening. Consider.... "Dancing in the Park" ...an elegant, dress up event with live ballroom music, lights, and maybe candlelight tables scattered throughout the pines.

All to bring back "Magic". Let's make this Village not only memorable, but UNFORGETTABLE!!!

14. Motion to Adjourn.

Upon a motion by Councilmember Drum, seconded by Councilmember Boesch, Council unanimously approved to adjourn the regular meeting, by a vote of 5-0 at 7:31 p.m.

Respectfully Submitted,

Beth Dunn,
Village Clerk

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

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**VILLAGE COUNCIL
MINUTES FOR WORK SESSION OF JUNE 23, 2020
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA**

IMMEDIATELY FOLLOWING THE REGULAR MEETING

The Pinehurst Village Council held a Work Session at 7:40 p.m., Tuesday, June 23, 2020, in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Mr. John C. Strickland, Mayor
Ms. Judy Davis, Mayor Pro Tem
Ms. Lydia Boesch, Treasurer
Mr. Kevin Drum, Councilmember
Ms. Jane Hogeman, Councilmember
Mr. Jeffrey Sanborn, Village Manager
Ms. Beth Dunn, Village Clerk

And approximately 2 attendees, including 2 staff.

1. Call to Order.

Mayor John Strickland, called the Council work session to order.

2. Marketing of Historic Landmark Status & Cultural Resources.

Councilmember Boesch explained that she met with Councilmember Drum and Natalie Hawkins, Assistant Village Manager, to discuss marketing the Village for being on the National Register of Historic places as a Landmark District. She stated she would like to see us marketed as a day trip destination. Councilmember Drum stated that only 3% of places on the National Register of Historic Places are Landmarks, and Pinehurst is one on them.

Natalie explained marketing needs to generate a call to action and she feels it is unclear what that call to action is at this point. She noted that historically the Village has marketed its services and not businesses, unless it was for the US Open as a co-op with businesses. Jeff Sanborn, Village Manager, stated that the Convention Visitors Bureau (CVB) mission is tourism and includes day trips. He believes the CVB has the data to understand the market and believes the CVB is doing that.

Ms. Hawkins stated that she will talk with our marketing consultant to get some ideas based on the various marketing aspects discussed. Mayor Strickland suggested Councilmember Boesch and Drum continue to work on the idea of daytrips and how to use that with CVB.

3. Assisting Local Businesses.

Mayor Strickland stated retailers have asked for help with parking for retail. Council discussed parking issues downtown in front of stores. Mayor Pro Tem Davis suggested adding retail customer only parking signs in front of some of the stores. Council discussed the possibility of allowing street sales. Mayor Strickland stated they would talk to some of the retailers and see what they think of some of the ideas Council have discussed.

4. Work Session Schedule.

Mayor Strickland stated item was a follow up from previous conversations about modifying the schedule for Council work sessions. Council reviewed other neighboring municipalities meeting schedules and discussed other options for meeting times. Ultimately Council decided to keep the work sessions at the same time as they are currently scheduled. Council agreed to try to limit the work session to a maximum of 60 minutes.

5. Potential Future Work Session Agenda Items

- Councilmember Boesch asked if the Police Chief could come and give us an update on crime data. Mr. Sanborn stated previously we discussed him coming annually to give the yearly update, as the data typically doesn't change very much.
- Councilmember Hogeman suggested discussing extending ETJ.

6. Other Work Session Business.

- Council discussed the setup and structure for the Small Area Plan consulting interviews.

7. Motion to Adjourn

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Boesch, Council unanimously approved to adjourn the work session, by a vote of 5-0, at 9:11 p.m.

Respectfully Submitted,

Beth Dunn,
Village Clerk

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**VILLAGE COUNCIL
MINUTES FOR SPECIAL MEETING OF JUNE 24, 2020
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
1:00 PM**

The Pinehurst Village Council held a Special Meeting at 1:00 p.m., Wednesday, June 24, 2020 in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Mr. John C. Strickland, Mayor
Ms. Judy Davis, Mayor Pro Tem
Mr. Kevin Drum, Councilmember
Ms. Lydia Boesch, Councilmember
Ms. Jane Hogeman, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager

And approximately 6 attendees, and 5 staff members.

1. Call to Order.

Mayor Strickland, called the Village Council meeting to order.

2. Interviews for Small Area Plan Consulting Candidates.

Council first interviewed the firm Design Collective followed by Nealon, for consulting services for Small Area Plans for Village Place/Rattlesnake Trail (Village Place) and Pinehurst South/Highway 5 Commercial Area (Pinehurst South).

3. Motion to Adjourn.

Council unanimously approved to adjourn the special meeting, by a vote of 5-0 at 4:30 p.m.

Respectfully Submitted,

Beth Dunn,
Village Clerk

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**VILLAGE COUNCIL
MINUTES FOR SPECIAL MEETING OF JUNE 30, 2020
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
11:00 AM**

The Pinehurst Village Council held a Special Meeting at 11:00 a.m., Tuesday, June 30, 2020 in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Mr. John C. Strickland, Mayor
Ms. Judy Davis, Mayor Pro Tem
Mr. Kevin Drum, Councilmember
Ms. Lydia Boesch, Councilmember
Ms. Jane Hogeman, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager

And approximately 6 attendees, and 5 staff members.

1. **Call to Order.**
Mayor Strickland, called the Village Council special meeting to order.
2. **Interviews for the Small Area Plan Consulting Candidates.**
Council interviewed the firm RHI followed by the firm Halff, for consulting services for Small Area Plans for Village Place/Rattlesnake Trail (Village Place) and Pinehurst South/Highway 5 Commercial Area (Pinehurst South)
3. **Motion to Recess the Special Meeting.**
Upon a motion by Councilmember Drum, seconded by Councilmember Davis, Council unanimously approved to recess the special meeting until Wednesday, July 1, 2020 at 4:30 p.m., by a vote of 5-0.
4. **Reconvene the Special Meeting.**
Mayor Strickland reconvened the special meeting at 4:30 p.m. on July 1, 2020.
5. **Discuss Interviews.**
Council discussed follow up questions to pose to the (4) four consulting firms interviewed for the Small Area Plans.
6. **Motion to Adjourn.**
Council unanimously approved to adjourn the meeting at 5:25 p.m., by a vote of 5-0.

Respectfully Submitted,

Beth Dunn,

Village Clerk

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DRAFT



**PRESENT RESOLUTION TO DAVID KELLEY HONORING HIS SERVICE
ON THE BOARD OF ADJUSTMENT AND PLANNING AND ZONING
BOARD.**

ADDITIONAL AGENDA DETAILS:

FROM:

Beth Dunn

CC:

Jeff Sanborn

DATE OF MEMO:

7/7/2020

MEMO DETAILS:

Council will present David Kelley with a resolution honoring him for his service on the Board of Adjustment and Planning and Zoning Board.



PUBLIC HEARING NO. 1.
ADDITIONAL AGENDA DETAILS:

The purpose of the public hearing is to consider an Official Zoning Map Amendment. This map amendment includes one parcel of land consisting of approximately 4.5 acres further identified as Moore County PID # 00029674 and would zone the property PC-CD (Public Conservation – Conditional District). The property is currently zoned PC (Public Conservation District). The proposed rezoning will allow for the addition of a 7,317 square foot education building and associate site features. The applicant and property owner is Village Chapel, Inc.

FROM:

Darryn Burich

CC:

Jeff Sanborn & Natalie Hawkins

DATE OF MEMO:

7/7/2020

MEMO DETAILS:

The rezoning request is to allow for the Village Chapel to construct a 7,197 square foot Christian education building with associated parking improvements. The site is currently limited to 12% impervious area and the Village Chapel is requesting a condition to allow an increase in impervious area to a maximum of 33%. The applicant is also requesting to not install a public sidewalk along Village Green Road E and is also limiting future uses of the site. Please see attached Staff Memo and Staff Report for more information and staff analysis. Please see several documents attached to this item related to this public hearing.

ATTACHMENTS:

Description

- ☐ Staff Memo to Council
- ☐ Area Zoning Map
- ☐ General Concept Plan CD1
- ☐ General Concept Plan CD2
- ☐ Rezoning Application
- ☐ P&Z Staff Report 6/24/20
- ☐ P&Z Draft Minutes 6/4/20
- ☐ P&Z Consistency Statement
- ☐ P&Z Property Owner Notification Map
- ☐ Village Chapel Trip Count
- ☐ Hydrant Flow Calculations
- ☐ Council Legal Public Hearing Notice
- ☐ P&Z Staff Powerpoint Presentation 6/4/20
- ☐ Trip Generation
- ☐ Council Public Hearing Adjacent Property Owner Notice
- ☐ HPC Staff Report
- ☐ HPC Applicant Exhibits



PLANNING AND INSPECTIONS DEPARTMENT STAFF MEMO

To: Planning and Zoning Board
From: Darryn Burich, Planning & Inspections Director
Cc: Jeff Sanborn, Village Manager and Natalie Dean Hawkins, Assistant Village Manager
Date: July 9, 2020
Subject: Staff Report for the Proposed Conditional District Rezoning of Parcel ID# 00029674 addressed as 10 Azalea Rd.

Applicant:	Pete Bogle, AIA The Bogle Firm Architecture, PLLC
Owner:	The Village Chapel, Inc.
Current Zoning	PC (Public Conservation District) is established as a district in which the primary use of the land is reserved for the general public for recreation, parks, natural or man-made bodies of water, forests and other similar open space uses, and other government uses that provide public services to the residents of Pinehurst. This district is intended to preserve and protect environmentally sensitive lands (e.g. floodways, wetlands) and/or properties otherwise restricted for public recreational use.
Proposed Zoning:	PC-CD (Public Conservation – Conditional District). Establishment of the CD district recognizes that there are certain types of zoning districts that may be inappropriate at certain locations in the absence of special conditions of which must be mutually acceptable to the applicant and the Village. See Section 8.4 of the PDO for further information on Conditional Zoning Districts.
P&Z Board Action:	Recommended with 5 conditions. 3 original conditions as requested by the applicant and 2 conditions added by P&Z and agreed to by the applicant at the 6/4/20 meeting.
HPC Action:	Major COA granted on 5/28/20 for construction “Heritage Hall” as proposed and clearing of the trees.

Request

The applicant *requests an official zoning map amendment for a conditional district zoning* of one parcel of land currently zoned PC (Public Conservation District) to PC-CD (Public Conservation – Conditional District). The proposed use of the area would remain as a religious institution with the addition of an approximate 7,197 square foot Christian education building on the Village Chapel campus with associated features including access, parking and a playground. The proposed rezoning would only change the existing zoning of the property to a Conditional Zoning District. *A General Concept Plan is required as part of a Conditional District rezoning application.* If the Conditional District rezoning and General Concept Plan is approved, the plan then becomes a site-specific zoning plan and a condition of the rezoning. Any substantial changes to an approved General Concept Plan as stated in Section 6.2.3 (B) of the Pinehurst Development Ordinance (PDO) shall be reviewed by the Planning and Zoning Board and approved or denied by the Village Council. All other changes to an approved General Concept Plan that are not substantial and do not alter the basic development concept may be approved by the Village Planner.

The main goal for the applicant to pursue a conditional district rezoning is to request a condition to allow for a maximum impervious coverage of 33% for the property. The PC Zoning District allows for a maximum of 12% impervious coverage. The existing site has an impervious coverage of 22.3% making the site non-conforming to this regulation. The buildings and related site features were constructed prior to the PC Zoning being placed on the property after the incorporation of the Village of Pinehurst and adopting of zoning and development regulations. Therefore the property is “grandfathered” and this creates a legal non-conformity. However, the non-conformity would not be allowed to increase which would limit the site from any future development that would increase the impervious coverage on the lot. **The development as depicted on the General Concept Plan indicates a proposed new impervious surface of 29.6%.** If the proposed Conditional District Rezoning and associated General Concept Plan were to be approved with the proposed conditions, development could occur on the property on the basic concept of the General Concept Plan and also allow future development up to the 33% impervious threshold.

Included with this conditional district rezoning request are an application, General Concept Plan, project narrative, floor plans, elevations, renderings, neighborhood meeting summary, trip generation, hydrant flow test, ISO calculations and a biological assessment for red-cockaded woodpecker impacts from the United States Fish and Wildlife Service.

The applicant is asking for the following conditions:

	Type	Requested Condition	PDO Requirement	PDO Section No.
1	Maximum impervious coverage	33%	12% (22.3% existing)	9.2a
2	Installation of sidewalks along existing street frontage of the development	Not be required	Required	9.16.1.8(a) (4)
3	Allowable Uses and SR's (Special Requirements)	Limit to: Religious Institution (waive SR-18) Parking Lot Playgrounds with SR-107 Cemetery with SR-101 Concealed Wireless with SR-103 Accessory Buildings with SR-108 Accessory Structures with SR-110 All Temporary Uses with all SR's	All uses allowed per Table 8.5 with applicable SR's and all Temporary Uses	8.5, 8.6, 8.7 & 8.8

Surrounding properties contain multiple zoning designations and land uses. See the table below and attached "Area Zoning Map".

Adjacent Land Uses and Zoning		
Area	Existing Uses	Zoning
North	Government – Public/Recreational (Village Green)	PC and LHD (Local Historic Preservation Overlay)
South	Single Family Residential, Sandhills Women's Exchange and Pinehurst Resort Clubhouse, Tennis and Pool Facility	R-10 , RD and LHD
East	Single Family Residential	R10 and LHD
West	Bank and Pinehurst Resort Clubhouse, Tennis and Pool Facility	OP, RD and LHD
Comprehensive Plan Land Use Designation		
Parcel ID # 00029674	Non-Residential "Village Core"	

Analysis

The subject property is defined as being Moore County Parcel ID# 00029674, is addressed as 10 Azalea Rd. and totals approximately 4.5 acres in size. It is currently within the Village's corporate limits and within the Local Historic Preservation Overlay District (LHD) and the National Historic Landmark District.

As mentioned previously, the property is the site of The Village Chapel campus. The Village Chapel is a historic structure and was first established in 1898 by James Walker Tufts. The main chapel was constructed in 1924 and is approximately 6,800 square feet. Two additional buildings were constructed on the property. In 1961 the Administration building consisting of approximately 3,844 square feet was built and the Chapel Hall was constructed in 1991 containing approximately 7,558 square feet.

The applicant indicates that the proposed addition of the "Heritage Hall" on the east side of the site will provide for needed space for the church and will be primarily used as a children's Christian education center. The proposed building is a 1 ½ story building with an approximate footprint of 7,317 square feet with approximately 3,238 square feet of unfinished second story which can be used as storage space and potential future classroom or meeting space if needed. The proposed height of the building is just under 33 feet, meeting the maximum height requirement of 35 feet. The Heritage Hall will be roughly seven feet shorter than the ridgeline of the main sanctuary and compatible with the height of the other structures on the site. The applicant has designed the roofline to reflect similar elements found in the other buildings on the site. The exterior materials and features (brick, roof, windows, doors and other details) will also match those found on the other buildings on the site. There are no physical connections to the existing sanctuary. The Heritage Hall is setback about 70 feet from the sanctuary and aligning with the front façade of the Chapel Hall building. This placement creates a more balanced site and keeps the original chapel as the focal point of the property. An approximate 1,400 square foot playground is also proposed and shown on the east (right) side of the Heritage Hall. The playground will be fenced with a wrought-iron style fence and is indicated to be four feet in height. Any fencing will need to meet the requirements of the PDO. Due to the site being located within the Local Historic District, a Certificate of Appropriateness (COA) will need to be issued by the Historic Preservation Commission (HPC) for the proposed additions to the site. The HPC decided to grant the request for a COA in a public hearing held at its regular meeting on May 28th.

A neighborhood meeting was required of the applicant prior to submitting the conditional rezoning request. The applicant notified all adjacent property owners. However, likely due to the current COVID-19 pandemic, absentee property owners and one property being a corporation, no one attended. One adjacent property owner requested information on the proposal to be sent via email. According to the applicant, materials were sent via email and acknowledged by the neighbor. Please find the results of that meeting as reported by the applicant including an affidavit of other contacts from neighbors on this request included with the applicant's submitted materials.

This site contains no floodplains, wetlands or active partition cluster or impacts for red-cockaded woodpeckers (RCW) as stated in the submitted letter from the United States Fish and Wildlife Service (USFW). A majority of the site is located within the WS-II Watershed Protection District which limits non-residential development to 12% built-upon area unless a Special Intensity Allocation (SIA) is granted by Village Council. This proposal includes the addition approximately 7.3 % of built-upon or impervious area. Therefore, due to existing development prior to June 21, 1993 and the proposed new development not exceeding 12% a Special Intensity Allocation will not be required for this proposal.

A planted landscape buffer will be required with this proposal where development is occurring along the property edge abutting the adjacent properties across Village Green Rd. E. Parking area landscaping will also be provided in accordance with Section 9.5.1.4 of the PDO. The submitted General Concept Plan is only required to show the general location and dimensions of the required landscaping while the construction documents will have the total required number, sizes and species of plant material.

The site contains many mature trees native to the Sandhills and typical of the Longleaf Pine Ecosystem. A survey indicates there are roughly 430 trees across the 4.5 acre site. This proposal indicates that approximately 47 trees, 40 of which are pines, will need to be removed to allow for the proposed structure and associated site features. The applicant indicates that the required landscaping will be met by installing longleaf pines, dogwoods, redbuds, camellias, azaleas and holly varieties. These species are both required and recommended in the PDO. Existing healthy trees can also be met to meet the required number of plantings.

The proposed access to the site will remain as a one-way ingress off Village Green Rd. W. The existing exit off Village Green Rd. E is proposed to be removed while providing a new exit off Village Green Rd. E. slightly to the north of the existing exit. A new, slightly reconfigured parking area is being proposed containing a total of 18 spaces resulting in a net gain of 5 parking spaces. All paved areas will be paved with asphalt in order to support a fire apparatus. The PC District does not have an off-street parking requirement. A trip generation based on ITE standards was completed and included with this submittal. Based on the use, Village staff does not feel that this proposal will necessitate a Traffic Impact Analysis (TIA) or any additional roadway or signal improvements.

New internal brick paver sidewalks/access isles are proposed across the property to allow for pedestrian connectivity within the campus itself. A new brick paver patio is also shown near the back corner of the new structure and adjacent to the new parking area. No new sidewalks are proposed along the existing street frontage of the development as required by the PDO. The applicant is asking that this requirement be waived and is included as a proposed condition of the rezoning. Currently there are sidewalks along both sides of Village Green Rd. W up to the Village Chapel property. The sidewalk on the opposite side of Village Green Rd. W continues to Azalea Rd. and heads west toward the small traffic circle. Also, there is existing sand paths along the Village Green property currently owned by the Village which provides pedestrian movement around the Village Green and Village Core.

The applicant is proposing a few drywells on-site to manage the post-development stormwater. The proposed approximate location of the drywells are shown on the General Concept Plan. Per the Village's Engineering Standards and Specifications Manual (ESSM), the proposed drywells shall be designed such that the post-development runoff does not exceed the pre-development runoff rate for a 10-year storm event. If the rezoning and General Concept Plan are ultimately approved, calculations demonstrating this requirement will be met will be required at the time of construction document submittal during the site plan review process.

Public water and sewer are available and will be provided by Moore County Public Utilities (MCPU). MCPU have reviewed the General Concept Plan and deemed it be satisfactory at the conceptual stage of review and approval with more details to be worked out during the construction document phase. A hydrant flow test was also performed to determine what the current available flow nearby would be. The flow test

resulted in a theoretical fire flow of 1,988 gallons per minute (GPM). This would meet the required fire flow for the building. A new hydrant will need to be installed and located closer to the site, within 300 feet within all portions of the building and within 50 feet of the FDC connection, before final approval of the site plans during the construction document phase. This will necessitate a new water line extension to the site. A full hydraulic model of the water system will need to be performed at that stage as well to ensure there is adequate flow to the site after this extension.

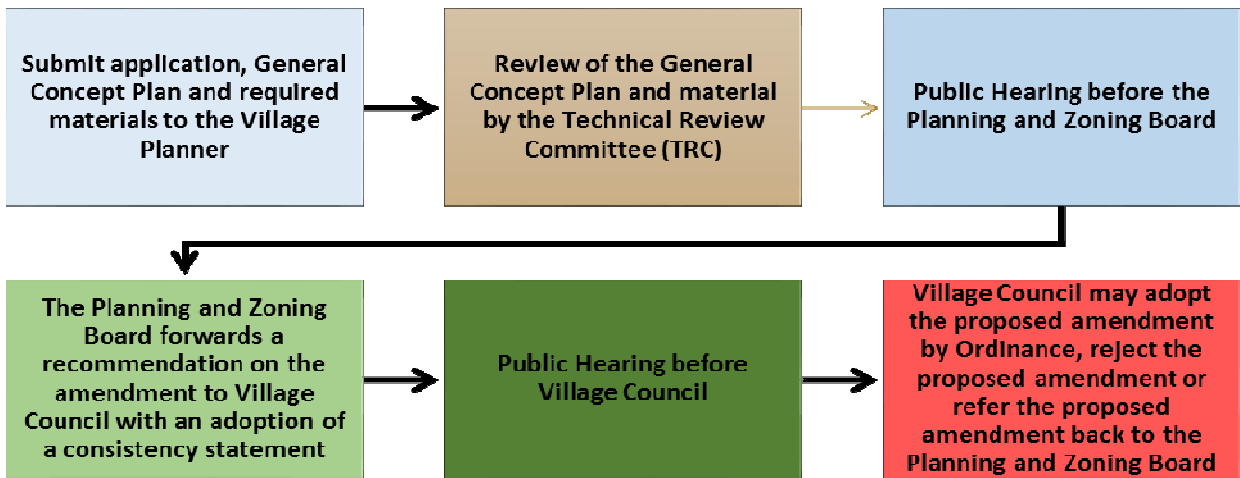
The Technical Review Committee (TRC) reviewed the application and General Concept Plan and have issued comments to the applicant with most of the comments needing to be addressed at the construction document phase of the project. The TRC was comfortable with the General Concept Plan moving forward to review and consideration of the Planning and Zoning Board and Village Council.

Planning and Zoning Board Action and Conditional District Rezoning Process

After holding a public hearing on the proposed zoning map amendment, the Planning and Zoning Board must adopt a consistency statement describing how the proposed amendment is or is not consistent with the Comprehensive Plan and may recommend approval or denial of the proposed map amendment to Village Council. If the board recommends approval of the proposed amendment but adopts a statement of inconsistency with the Long Range Comprehensive Plan, then the plan is deemed to be amended. The Planning and Zoning Board did adopt a consistency statement at the 6/4/20 meeting.

The Planning and Zoning Board can ask to impose more restrictive conditions that are not included with proposal but the applicant must consider and agree to any additional or different conditions. However, no changes can be made to the proposed conditions that are less restrictive than those stipulated in the proposal.

If there are more questions or concerns that need to be addressed, the Planning and Zoning Board can continue the public hearing to a specific date, place and time. However, if a recommendation is not made within 30 days of the Planning and Zoning Board’s scheduled public hearing, the Village Council may take action without a recommendation.



Plan Consistency

The base zoning of the property will not change with this proposed amendment. The use that is proposed as part of this project is consistent with the existing use as a religious institution and is a permitted use in the PDO. The only deviation from the requirements of the PDO is the increase in impervious surface. The property is currently not compliant with the impervious surface limitation of the PC Zoning District. The proposed condition to allow the lot's maximum impervious surface coverage to reach 35%, a 12.7% increase, would allow the church to expand and continue providing its service to the residents of Pinehurst.

The proposed zoning district is consistent with the recommended land use for the subject area as identified on the Conservation and Growth Map on page 62 of the 2019 Comprehensive Plan which identifies the area as "Village Core". Due to the fact that the base zoning and proposed use is not changing with this request, the proposed amendment is consistent with the "Village Core" designation on the Conservation and Growth Map in the 2019 Comprehensive Plan.

Guiding Principle #1 on page 30 of the 2019 Comprehensive Plan under Village Character and Authenticity states that the Village should retain the small-town charm, scale, and character of the community to ensure a high quality of life. As stated on page 31 of the Comprehensive Plan, the three most distinctful physical factors contributing to character in Pinehurst are its 1) well-maintained landscaping and natural environment, 2) architecture, and 3) curvilinear streets. These all are vitally important to the overall appearance of the Village especially along major roads and gateways to the Village. This proposal creates a more bi-lateral and balanced site and will provide for all the required landscaping requirements of the PDO and minimize the removal of mature, specimen trees on the site. The design and architecture of the proposed building will also match other buildings on the site which will preserve the existing character of the property and the area. Implementation Strategy 1.1 identified on page 45 is to promote private preservation efforts in the historic Village Center and support the efforts of the Historic Preservation Commission. The Historic Preservation Commission issued a Certificate of Appropriateness for the proposed building in its regular meeting held on May 28, 2020.

The Village's vision is to "Promote, enhance, and sustain the quality of life for residents, businesses, and visitors." page 32 identifies means that the Village can maintain and enhance quality of life including preserving the historic character of the Village Center, expanding arts, culture and entertainment in Pinehurst and adapting to change as residents become more diverse in age, interests and backgrounds and as their needs are expected to change as the composition of the community changes. This request would allow the church to expand services to a growing community and could help enhance the quality of life for residents and visitors.

Planning and Zoning Board Action

The Planning and Zoning Board considered the subject conditional rezoning request and General Concept Plan and conducted a duly noticed and advertised public hearing on June 4, 2020. The applicant and representatives from the Village Chapel were present to answer questions regarding the rezoning and General Concept Plan and associated conditions.

During course of the deliberations, the P&Z Board voted unanimously to add two additional conditions not originally proposed by the applicant. These conditions were:

- 1) One-for-one replacement of each tree removed; and
- 2) Landscape buffer around playground area.

Village Council Action

After holding a public hearing on the proposed zoning map amendment, the Village Council may adopt the proposed conditional rezoning amendment by Ordinance or reject the proposed amendment. The Village Council may adopt the conditions as proposed by the applicant as well as those additional conditions as recommended by the P&Z Board and agreed to by the applicant at the June 4th meeting. The Village Council may choose to modify or add a condition but those conditions must be agreed to by the applicant. Additionally, the Village Council may refer the matter back to the P&Z Board, or another committee, for additional consideration or may continue the item to a future meeting.

The Village Council must also adopt a statement of consistency with the Long Range Comprehensive Plan. Such statement could be one that the proposed amendment is or is not consistent with the Long Range Comprehensive Plan. Action resulting in approval of the amendment with adoption of a statement that the proposal is not consistent with the Long Range Comprehensive Plan is also deemed an amendment to the Long Range Comprehensive Plan.

Staff Recommendation and Comprehensive Plan Consistency Statement

Planning staff recommends approval of the request for PID # 00029674 from PC to PC-CD (Public Conservation – Conditional District) as submitted with conditions (**see staff discussion below**) and recommends that the Village Council adopt the consistency as shown below.

Applicant Requested Conditions				
	Type	Requested Condition	PDO Requirement	PDO Section No.
1	Maximum impervious coverage	33%	12% (22.3% existing)	9.2a
2	Installation of sidewalks along existing street frontage of the development	Not be required	Required	9.16.1.8(a) (4)
3	Allowable Uses and SR's (Special Requirements)	Limit to: Religious Institution (waive SR-18) Parking Lot Playgrounds with SR-107 Cemetery with SR-101 Concealed Wireless with SR-103 Accessory Buildings with SR-108 Accessory Structures with SR-110 All Temporary Uses with all SR's	All uses allowed per Table 8.5 with applicable SR's and all Temporary Uses	8.5, 8.6, 8.7 & 8.8
Conditions as recommended by the P&Z Board				
4	One-for-one replacement of each tree removed			
5	Landscape buffer around the proposed playground area			

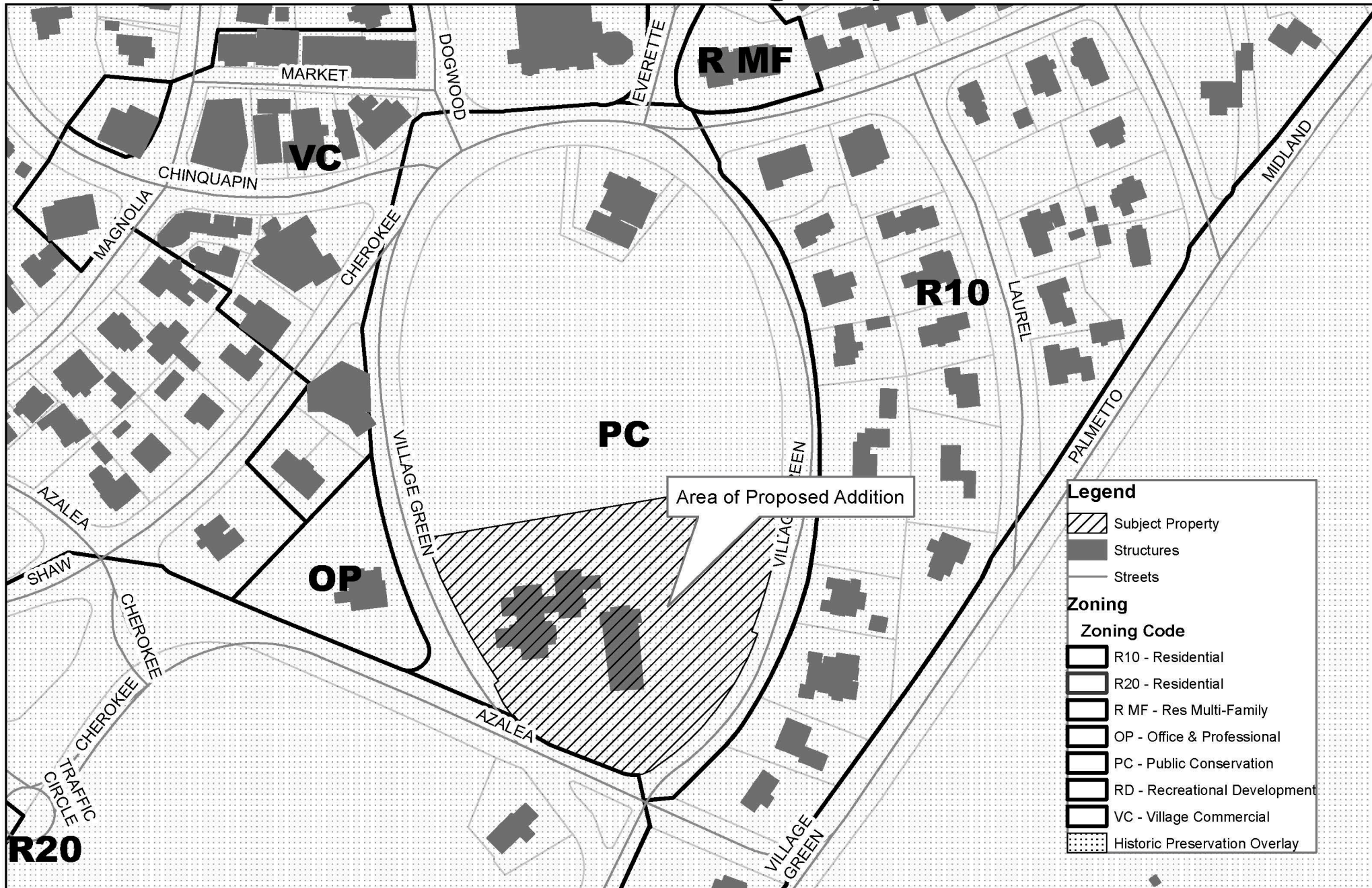
The Village Chapel site currently contains approximately 470 trees spread out over the 4.5-acre site resulting in about 104 trees per acre. There are approximately 47 trees that are scheduled to be removed as part of the development which will drop the overall number down to about 94 per acre. The exhibit titled "Village Chapel General Concept Plan-CD1" identifies the trees scheduled to be removed and are indicated with a red circle around a tree symbol. The vast majority of trees proposed to be removed are internal to the site and are in the area of the proposed Heritage Hall and where the additional improved parking will be located. The perimeter of the site is still relatively well treed with only one tree being shown to be removed at the new driveway entrance at Village Green Road East. The new parking area will be required to install a planted buffer as shown as identified on the General Concept Plan that will replace 3-4 trees. The new building massing will fill in the place of the other removed trees so there will not be a void of open space in that area so the impact of the loss of the trees should be negligible with the maintenance of the perimeter trees.

Historically, the parking pattern for worship services has included surface parking in the pine forest around the site. This pattern has allowed the bucolic appearance of the site to be maintained by not having large amounts of paved surface parking on the site. Staff is concerned that a one for one tree replacement may negatively impact the historic parking pattern on site by infilling various areas that are currently used for parking. These “spaces” will then be eliminated and this will push parking farther out into the neighborhood. Additionally, because there is already a dense canopy of trees spaced throughout the site, additional planted trees may impact the health of trees, both newly planted and existing, if planted too closely to one another. **Staff recommends Council consider reducing or eliminating P&Z’s one-for-one replacement recommendation. Alternatively, Council could require that the replacement trees be understory or ornamental and placed more generally in areas where they have been removed.**

Comprehensive Plan Consistency Statement:

The proposed rezoning is consistent with the Conservation and Growth Map on page 62 of the 2019 Comprehensive Plan which identifies the area as “Village Core” and that the proposed zoning district of PC-CD is consistent with “Village Core” designation as the base zoning and permitted use will not change. Additionally, the proposed rezoning will help enhance quality of life for Village of Pinehurst by expanding religious services to residents and visitors and preserving the Village’s Character and Authenticity as stated on pages 31, 32 and 45 of the 2019 Comprehensive Plan. Therefore, this amendment is consistent with the goals of the 2019 Comprehensive Plan and achieving goals in accordance with the Comprehensive Plan and other planning documents of the Village is considered reasonable and in the best interest of the public.

Area Zoning Map

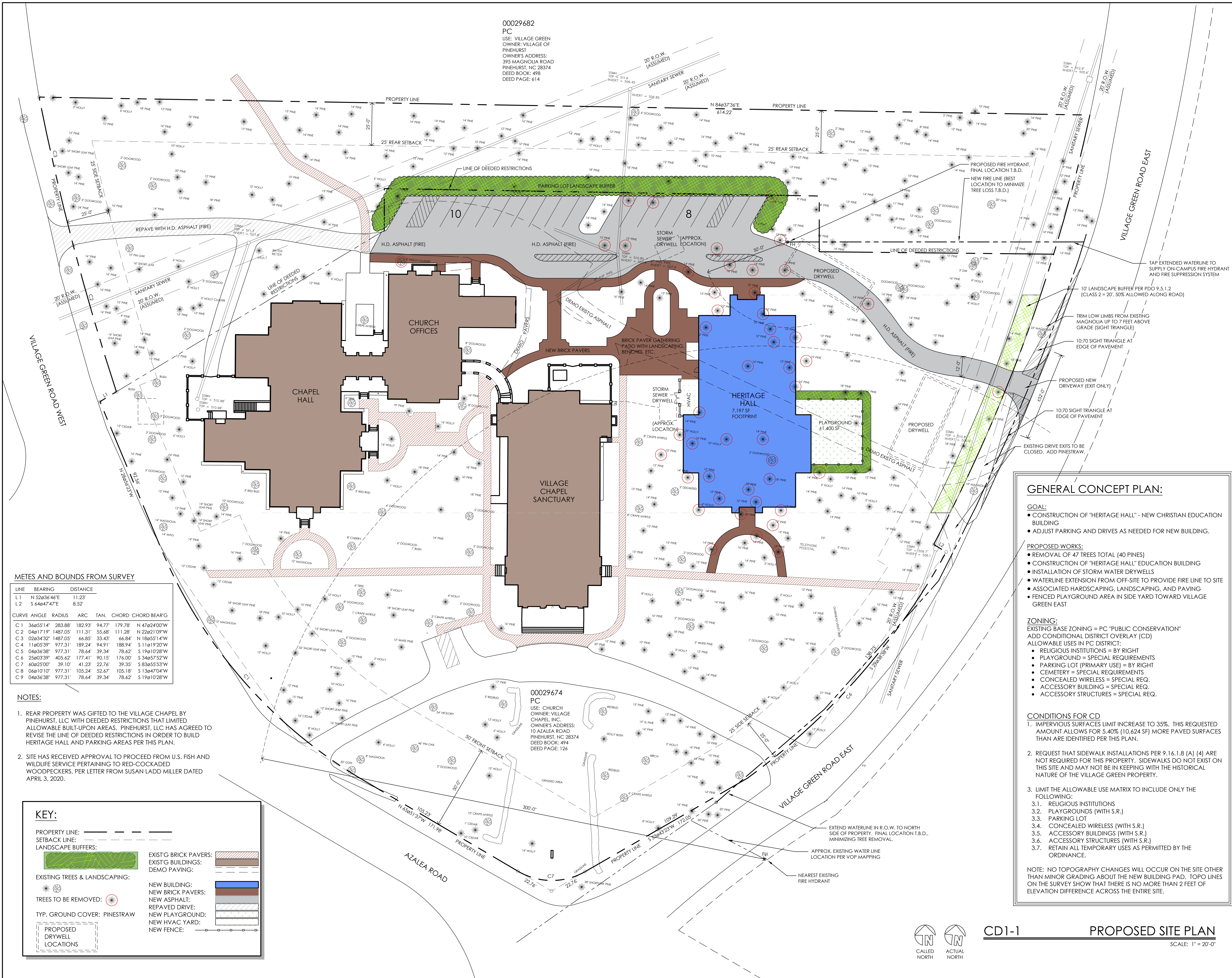


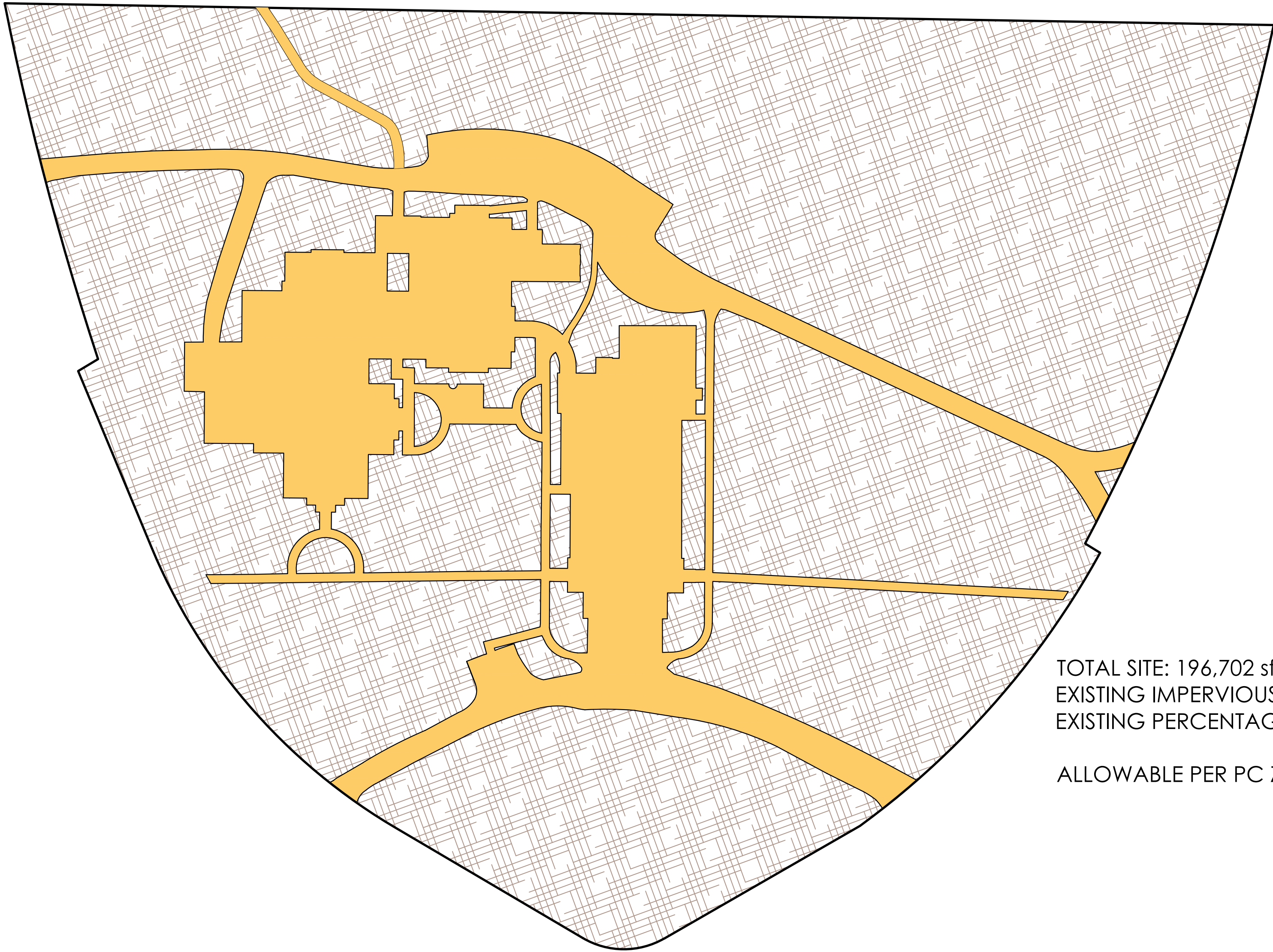
0 65 130 260 390 520 Feet

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). PineHBase Map for Boards.mxd 5/28/2020

June 4, 2020
 Planning and Zoning Board
 Public Hearing for Conditional Rezoning

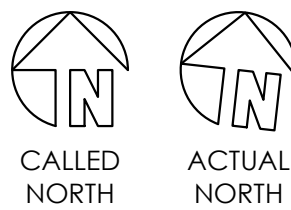






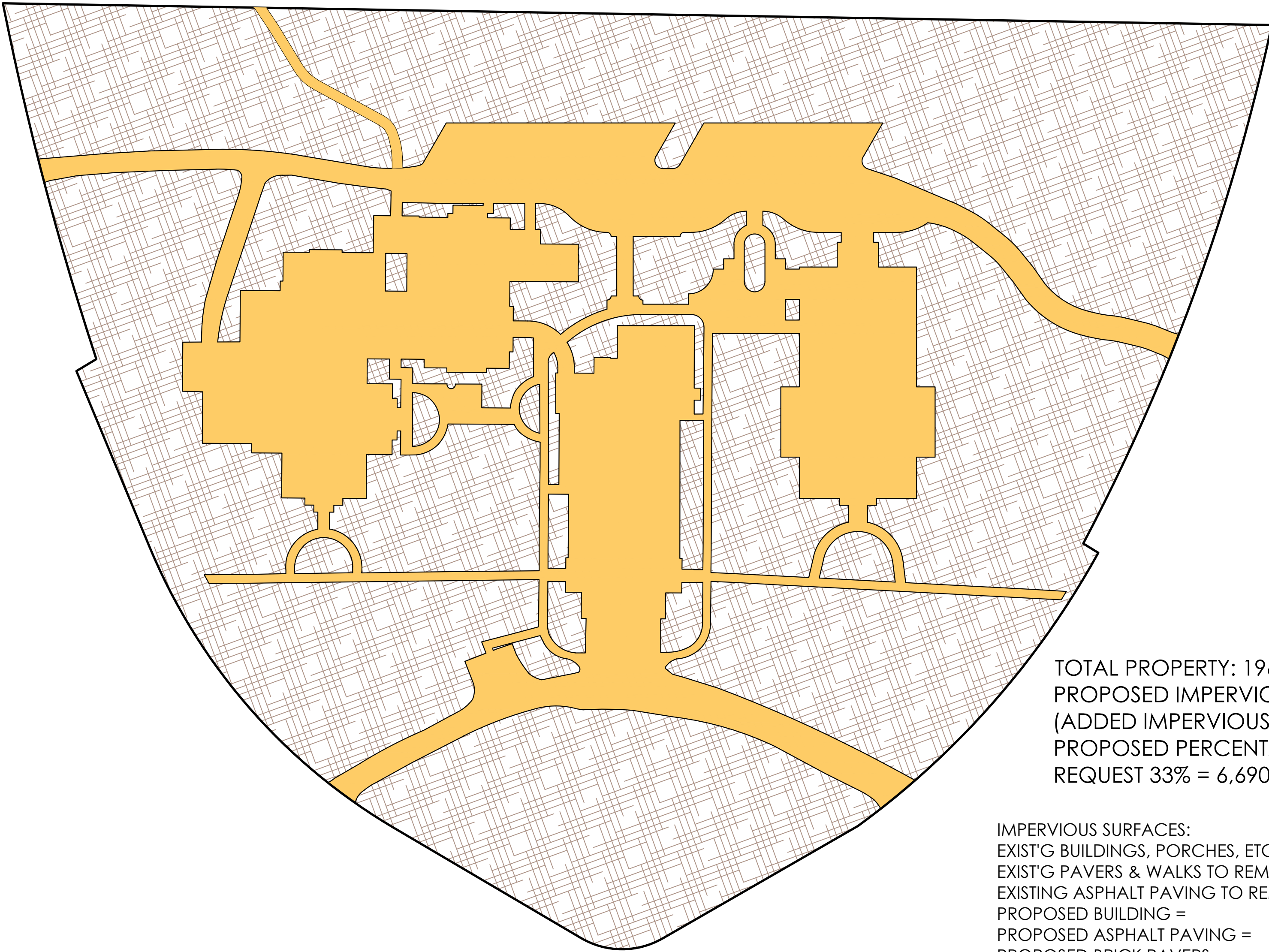
TOTAL SITE: 196,702 sf
EXISTING IMPERVIOUS: 43,646 SF
EXISTING PERCENTAGE: = 22.2%

ALLOWABLE PER PC ZONE = 12%



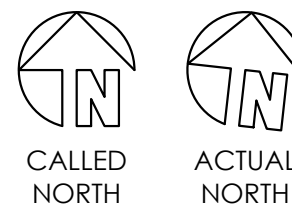
CD2-1 EXISTING IMPERVIOUS SITE

SCALE: 1" = 40'-0"



TOTAL PROPERTY: 196,702 sf
PROPOSED IMPERVIOUS: 58,178 SF
(ADDED IMPERVIOUS: 14,532 SF)
PROPOSED PERCENTAGE = 29.6%
REQUEST 33% = 6,690 SF GROWTH

IMPERVIOUS SURFACES:
EXIST'G BUILDINGS, PORCHES, ETC. = 21,711 SF
EXIST'G PAVERS & WALKS TO REMAIN = 6,457 SF
EXISTING ASPHALT PAVING TO REMAIN = 7,033 SF
PROPOSED BUILDING = 7,197 SF
PROPOSED ASPHALT PAVING = 11,325 SF
PROPOSED BRICK PAVERS = 4,455 SF
TOTAL PROPOSED IMPERVIOUS = 58,178 SF



CD2-2 PROPOSED IMPERVIOUS SITE

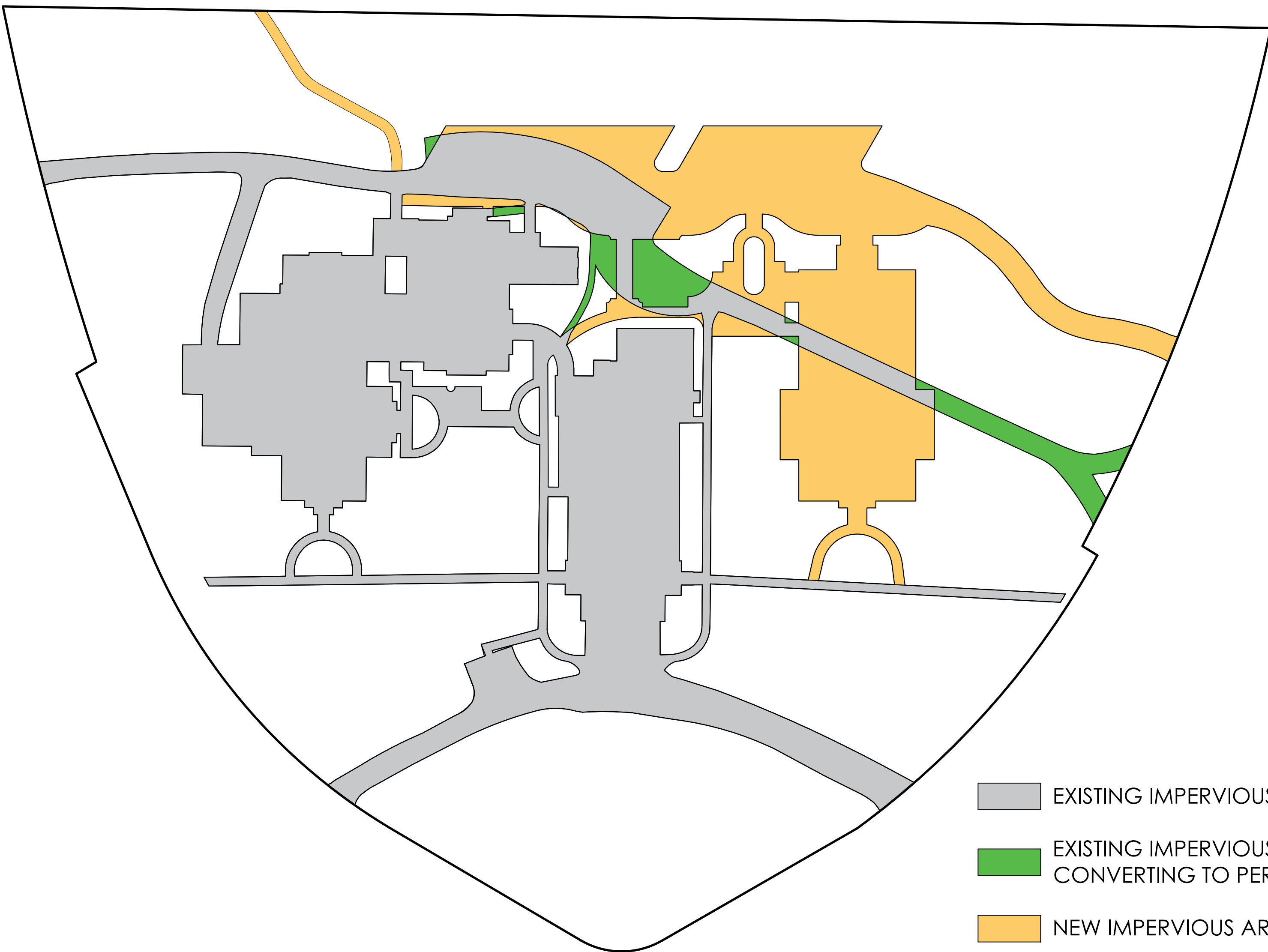
SCALE: 1" = 40'-0"

FIRE & RESCUE			Page 1/3
ISO Fire Flow Worksheet			
Needed Fire Flow Work Sheet (ISO formulas)			NFF = (C)(O)(I)(X)(P) C=18F(AI)^0.5
Address:	10 Azalea Road		
Project Name:	Heritage Hall at the Village Chapel	Occupancy Type:	Church
Construction Type:	Ordinary	Number of Stories:	2
STEP 1			
Take the area, which is 100% sq. ft. of the first floor plus the following percentage of the total area of the other floors.			
First Floor Area in Sq. Ft	7197	Sq. Ft. @ 100%	
Additional Floors			
Enter total area in sq. ft for all other floors	3238		
Total Area Entire Building	8816		
STEP 2			
F = Coefficient related to the class of construction as determined by using the construction type found in SBCCI			
Construction Type	Class	F Value	
Frame	1	1.5	
Joist Masonry	2	1	
Non-combustible	3	0.8	
Heavy Timber	4	0.8	
Modified fire resistance	5	0.6	
Fire resistive	6	0.6	
Construction Class	3		
Square Root of the Area x F x 18	1250	= C Value	

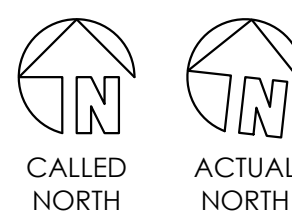
Free-Burning (C-4) = Active fuel loads such as aircraft hangers, cabinet making, combustible metals, dry cleaners using flammable fluids, feed stores, furniture stores, kennels, lumber, packaging and crating, paper products manufacturing, petroleum bulk distribution centers, tire manufacturers, tire recapping or retreading, wax products, and wood working shops.	1.15
Rapid-Burning (C-5) = Contents that burn with great intensity, spontaneously ignite, have flammable or explosive vapors, or large quantities of dust such as ammunition, feed mills, fireworks, flammable compressed gases, flammable liquids, flour mills, highly flammable solids, matches, mattress factories, nitrocellulose-based products, rag storage, upholstery shops, & waste paper storage.	1.25
Occupancy Class Selected (1 thru 5)	2
GPM x Oi	1062.5

FIRE & RESCUE			Page 3/3
ISO Fire Flow Worksheet			
Needed Fire Flow Work Sheet (ISO formulas)			
STEP 4			
Now consider the exposure factor (Xi) - (Separation between buildings)			
Distance (feet to the exposed building)	Xi	>3 stories	
0-10	0.22	0.47	
11-30	0.18	0.43	
31-60	0.13	0.38	
61-100	0.09	0.34	
Distance, in feet, to the exposed building	42		
Xi (from table)	0.13		
Multiply GPM from step 4 by (1+Xi)			
Total From Step 4	1201		
STEP 5			
Approved Fire Sprinkler System? (Y or N)	y		
Take fire flow from step 5 and multiply by sprinkler credit of 0.25			
Sprinkler credit	300		
Now subtract sprinkler credit from fire flow in step 4			
NEEDED FIRE FLOW	1000 GPM		

MINIMUM ALLOWABLE PER NCFC = 1,500 GPM



EXISTING IMPERVIOUS TO REMAIN
EXISTING IMPERVIOUS CONVERTING TO PERVIOUS
NEW IMPERVIOUS AREAS.



CD2-3 EXIST'G / PROPOSED COMP.

SCALE: 1" = 40'-0"

CONDITIONAL
DISTRICT
SITE PLAN

GENERAL CONCEPT PLAN
IMPERVIOUS CALCS

REVISED 6.3.20:
THE FOLLOWING REVISIONS WERE MADE PER COMMENTS FROM VILLAGE PLANNING AND ENGINEERING STAFF FROM T.R.C. REVIEW OR CHURCH DECISION:

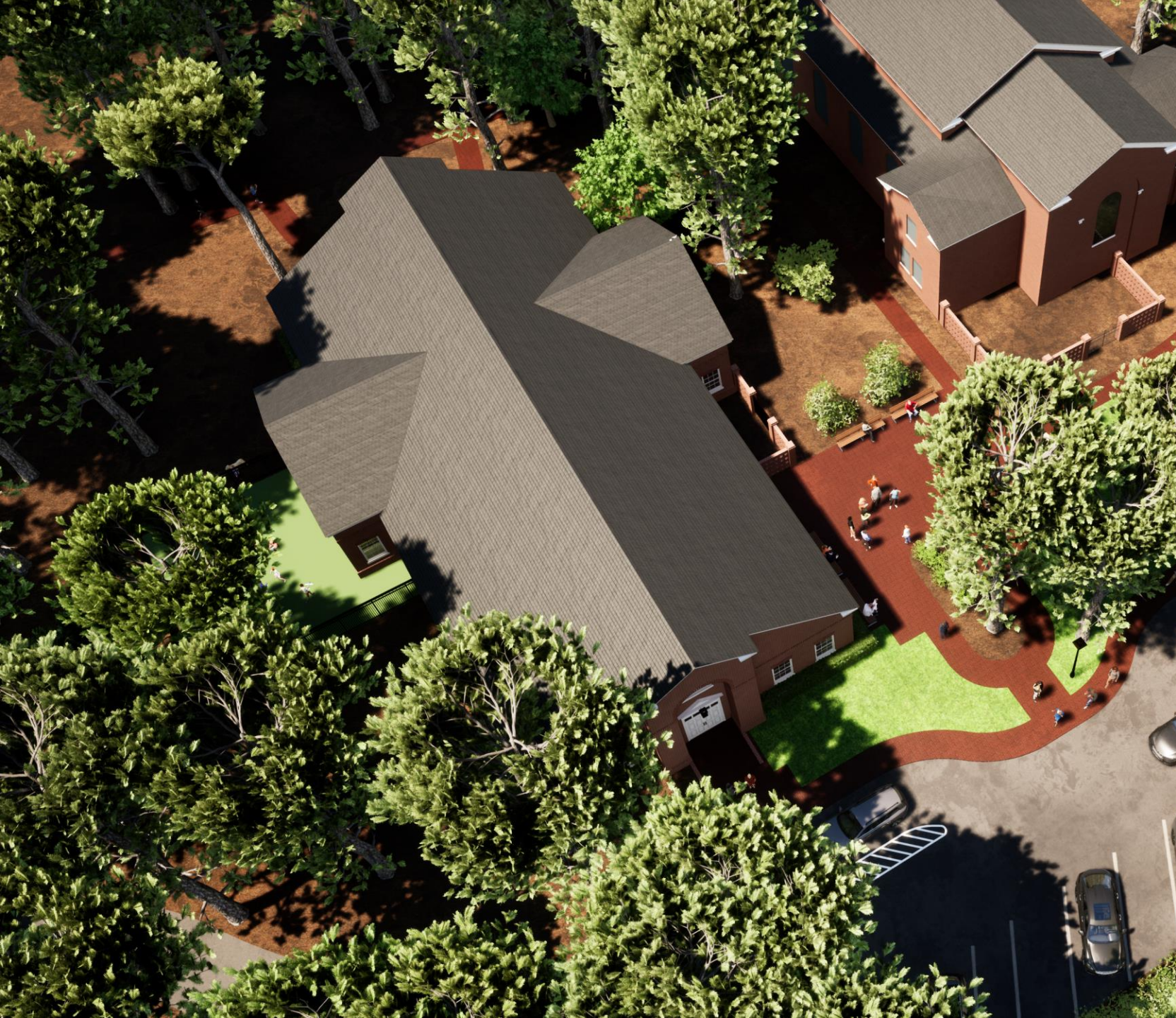
- ADDED BREAKDOWN OF TOTAL IMPERVIOUS SURFACES
- REDUCED IMPERVIOUS REQUEST FROM 35% TO 33%.

HERITAGE
HALL

THE VILLAGE CHAPEL
PINEHURST, NC

DRAWN BY: DRB
CHECKED BY: DRB
DATE: 5.5.20
PROJECT #: XX

SHEET NUMBER
CD2
OF: 2



REVISED 06-04-2020



The Village Chapel



THE BOGLE FIRM,
ARCHITECTURE

**Conditional District Rezoning Submittal
to the Planning and Zoning Board
of the Village of Pinehurst**



**The Village Chapel
Heritage Hall**
Proposed New Construction at
The Village Chapel, Pinehurst, NC

May 6, 2020

REV. June 3, 2020

The Bogle Firm Architecture, PLLC
110 N. Main Street, Suite 200
Salisbury, NC 28144 • 704.638.2015

Index

- 1) Application for Rezoning / Conditional District
- 2) Description of Project
- 3) Attachments:
 1. CD-1: General Concept Plan
 2. CD-2: Impervious Calculations and ISO Calcs
 3. Floor Plans
 4. Building Elevations
 5. Renderings
 6. US Fish and Wildlife Letter
 7. Neighborhood Meeting Documents
 - a. Letter to Adjacent Property Owners
 - b. List of Adjacent Property Owners
 - c. Affidavit of Responses
 8. Pinehurst, LLC Email, Deed Restrictions



REVISED 06-04-2020

Rezoning/Rezoning – Conditional

Fee: \$1300 - Rezoning

Fee: \$5000 – Conditional Rezoning
(Revised 09/2019)

Permit Information

Section 6.1 of the Pinehurst Development Ordinance (PDO) describes the process and requirements to amend the Official Zoning Map, or re-zone property. Applications for rezoning to a conditional district may only be initiated by the owner(s) of the property (or their representatives) and includes proposed conditions and/or use limitations that are more restrictive than would otherwise be allowed in the corresponding general use district.

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	10 Azalea Road
City, State, Zip Code	Pinehurst, NC 28374
Parcel ID #	00029674

Owner Information	
Name	The Village Chapel
Street Address	10 Azalea Road
City, State, Zip Code	Pinehurst, NC 28374
Mobile Phone #	-
Business Phone #	910.295.6003
Other Phone #	-
Email	jwood008@nc.rr.com

Applicant	
Name	Pete Bogle, AIA
Street Address	110 N. Main Street, Ste. 200
City, State, Zip Code	Salisbury, NC 28144
Mobile Phone #	704.213.4553
Other Phone #	704.638.2015
Email	pete@boglefirm.com



REVISED 06-04-2020

Rezoning/Rezoning – Conditional

Fee: \$1300 - Rezoning

Fee: \$5000 – Conditional Rezoning
(Revised 09/2019)

General Information

☐ Rezoning ☒ Conditional District Rezoning			
Project Description	New Construction of 1-1/2 story Christian Education Building on the campus of The Village Chapel, with associated adjustments to parking, landscaping, hardscaping, storm water management, and tree removal		
Current Zoning District	PC		
Proposed Zoning District	PC		
Reason for Rezoning Request	Request is to increase allowable impervious surfaces to 35%		
Legal Basis for Application	☒ Property Owner in Village Planning Jurisdiction (Required for Conditional Rezoning) ☐ Agent, Lessee, or Contract Purchaser Authorized by Property Owner(s) ☐ Owner of a Legal Equitable Interest in Property in Village Planning Jurisdiction		
Number of Parcels to be Rezoned	1	Number of Acres to be Rezoned	4.5
Existing Use		Proposed Use	
☐ Vacant		☐ Vacant	
☐ Single Family Low Density		☐ Single Family Low Density	
☐ Single Family Medium Density		☐ Single Family Medium Density	
☐ Single Family High Density		☐ Single Family High Density	
☐ Multi-Family Development		☐ Multi-Family Development	
☐ Office		☐ Office	
☐ Retail		☐ Retail	
☐ Lodging		☐ Lodging	
☐ Recreational		☐ Recreational	
☒ Institutional Church		☒ Institutional Church	
☐ Medical		☐ Medical	
☐ Industrial		☐ Industrial	
☐ Services Church		☐ Services Church	
Conditions of Rezoning - Requested (If Any)	1) Increase allowable impervious surfaces to 35% 2) Delete required sidewalk along Village Green East.		
Rezoning Results in an Increase in Density or Intensity of Uses	☒ Yes ☐ No	Date of Adjacent Property Owner Meeting (If Increased Density/Intensity of Uses)	April 2, 2020
Other Information			



REVISED 06-04-2020

Rezoning/Rezoning – Conditional

Fee: \$1300 - Rezoning

Fee: \$5000 – Conditional Rezoning
(Revised 09/2019)



REVISED 06-04-2020

Rezoning/Rezoning – Conditional

Fee: \$1300 - Rezoning

Fee: \$5000 – Conditional Rezoning
(Revised 09/2019)

Location Information

Overlay District	☒ Historic Preservation Overlay District ☐ N/A ☐ Pinehurst South Overlay District
Roads	☐ Public ☐ Private
Water Provider	Moore County
Sewer Provider	Moore County

Required Documents

- ☒ Summary Report of Meeting with Adjacent Property Owners (If Increased Density/Intensity of Uses)
- ☒ General Concept Plan Application, with Required Documents (If a Conditional District Rezoning)
- ☒ Written authorization of property owner (If submitted by an owner's representative)

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 in order to obtain approval for a rezoning.

Applicant Signature: _____

Date: 5.6.2020

GOALS FOR CONDITIONAL DISTRICT REZONING

The existing PC zoning district allows a maximum of 12% impervious area. The existing campus has a total impervious area of 22.3%, making the site non-conforming. The existing buildings, pavement, and sidewalks preceded the impervious area limitations that were applied when the site was zoned PC by the Village.

- The main goal of this Conditional District Rezoning is to request an impervious limit of 33% for the site.
- A secondary and minor goal is to also request that the sidewalk required by PDO 9.16.1.8(a)(4) not be required as it is not in keeping with the historic nature of the Village Green.

Project Background

The proposed “Heritage Hall” addition to the Village Chapel will provide much needed space for The Village Chapel congregation. Bogle Firm Architecture, of Salisbury, utilized the Village's Historic District Design Standards as a central guide and consulted with Village Planning Department staff throughout the design process to ensure compliance with the Pinehurst Development Ordinance Review Criteria for Certificates of Appropriateness. As proposed, the Heritage Hall addition is in congruity with the Village of Pinehurst Historic District and the existing Village Chapel campus.

The Village Chapel was constructed in 1924, approximately thirty years after the Village Green was laid out. New York architect, Hobart Upjohn, designed the original 6,800 square foot brick Colonial Revival structure. Over the years two additional buildings were added to the Chapel campus: the Administration Building built on the west side of the chapel in 1961; and the Chapel Hall, constructed in 1991. The 1961 and 1991 buildings contain 3,844 square feet and 7,558 square feet, respectively.

The design presented in the attached plans and documents preserves the status of the 1924 Village Chapel sanctuary as the focal point of the complex.

Heritage Hall will be a 1 ½ story building with a footprint of 7,197 square feet and an unfinished second floor of 3,238 square feet. The second floor will be used as storage space until a point in the future when additional classroom or meeting spaces may be needed.

Massing and Building Placement

Using a matching roof pitch to other secondary campus buildings, the Heritage Hall will measure 32 feet, 8 inches in height at the roof ridge. Its height is close to that of the 1961 and 1991 buildings (± 30 feet). The highest point of Heritage Hall will be roughly 7 feet lower than the ridgeline of the 1924 sanctuary, and considerably lower than its steeple. The multi-gabled roofline of the proposed Heritage Hall reflects similar elements found in the Administration and Chapel Hall buildings.

Site layout will preserve the sanctuary building as the primary focal point and will add symmetry to the overall campus. The front of the proposed Heritage Hall is set back 70 feet from the front steps of the sanctuary and aligns with the front facade of the existing Chapel Hall building on the west side of the campus. The western wing of the proposed building is sited 42 feet away from the nearest existing wing of the sanctuary building. This provides a clear distance of roughly 58 feet from the main body of the sanctuary to the main body of the proposed building. No physical connections will be made to the existing sanctuary and no work is planned on any of the existing buildings. This also provides a clear distance of nearly 100 feet to from the closest point of the building to Village Green Road East.

The overall result is a bilaterally balanced plan with all of the additions (1961, 1991 and proposed 2020) in subservient positions to Upjohn's original design.

Architectural Detailing

The exterior brickwork and other architectural details proposed for the Heritage Hall will be similar to those used on the Administration Building and Chapel Hall in order to maintain the established architectural language of the entire site. Architectural details compliment, but do not replicate, the 1924 sanctuary, as the historic Chapel needs to stand out as the focal point of the complex. The exterior of the Heritage Hall will be Flemish bond pattern brick with jack arches over the door and window openings. Brick size, color, and mortar color will closely match the 1961 and 1991 buildings. Details such as the cast stone windowsills and eave trim will be replicated, although contemporary materials may be used (painted fiber cement). A slate roof will be installed. New clad wood windows will match the construction and style of the Administration and Chapel Hall buildings. Proportions of window opening dimensions and grid configurations will be similar.

Site Configuration & Landscaping

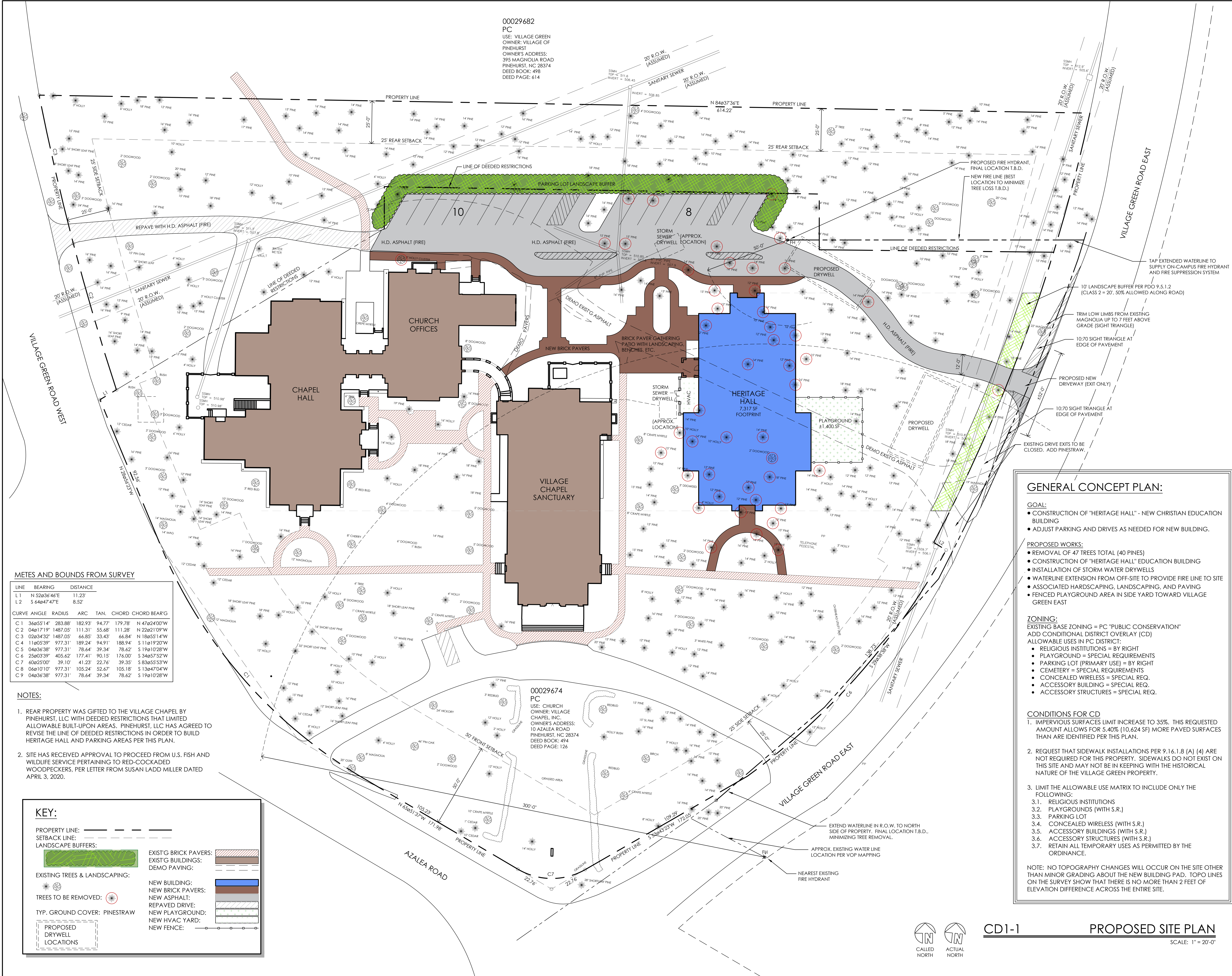
The Village Chapel sits on a 4.5-acre parcel at the south end of the Village Green. The oval-shaped Village Green is characterized by an abundance of tall, evergreen Longleaf Pines and has long-served as the central open space to the Village of Pinehurst. Together, the lands of The Village Chapel, The Village Green, and the Given Memorial Library parcels comprise a contiguous area of 12 ¼ acres. When viewed from various vantage points, the Chapel campus is seen through a filter of pines, hollies, dogwoods and other plantings. Pinehurst's evergreen setting is a character defining feature of the village.

The 1-1/2 story proposed design for the Heritage Hall minimizes the addition's footprint to 7,197 square feet, and is designed to meet the church's immediate and future Christian education space needs. The building, hardscaping, underground drywells, and parking/driveways have been carefully designed to limit necessary tree removal. As proposed, 47 trees (40 pines) will be required to be removed. The total campus has roughly 430 trees across the 4.5 acres.

Landscaping will be designed to meet PDO buffering standards along the parking lot. Other landscaping design will be ornamental around the building foundations and within the rear courtyard areas. Historically appropriate flora selections will include Long Leaf Pines, Dogwoods, Redbuds, Camellias, Azaleas, and Holly Varieties that are of common use on the site and in the Old Town portion of the Village.

The proposed playground for small kids on the east side of the building will be enclosed with a wrought-iron picket style fence to meet PDO standards. Fencing will likely be aluminum construction and 4 feet tall to keep young kids from wandering off of the play yard.

The parking area will be slightly reconfigured to generate a net gain of five (5) parking spaces, for a total of eighteen (18) parking spaces without significantly altering the appearance of the property. The existing traffic pattern will remain as one-way flow with a driveway entrance from Village Green West. Traffic will continue to use the existing driveway located on the western side of the property and exit the property on the east. The proposed driveway exiting the site is designed with two bends to minimize the loss of pine trees and to create a visual break when looking into the campus from Village Green East.



CONDITIONAL DISTRICT SITE PLAN

GENERAL CONCEPT PLAN
PROPOSED SITE MASTER PLAN

REVISED 6.3.20:
THE FOLLOWING REVISIONS WERE MADE PER COMMENTS FROM VILLAGE PLANNING AND ENGINEERING STAFF FROM T.R.C. REVIEW OR CHURCH DECISION:

- CEMETERY USE HAS BEEN DELETED
- LANDSCAPE BUFFER ADDED TO VILLAGE GREEN EAST
- SIGHT TRIANGLES PLACED ALONG PAVEMENT EDGE & EXISTING TREE NOTED TO BE TRIMMED UP TO REQUIRED CLEARANCE HEIGHT
- PUBLIC SEWER LINES SHOWN CROSSING CAMPUS WITH PRESCRIPTIVE 20' EASEMENTS
- SHOWING CLOSEST EXISTING FIRE HYDRANT (#2-56)
- SHOWING PROPOSED NEW FIRE LINE AND NEW HYDRANT LOCATIONS ON CAMPUS
- ADDED SURVEY METES & BOUNDS
- NOTE ON TOPOGRAPHY ADDED

HERITAGE HALL

THE VILLAGE CHAPEL
PINEHURST, NC

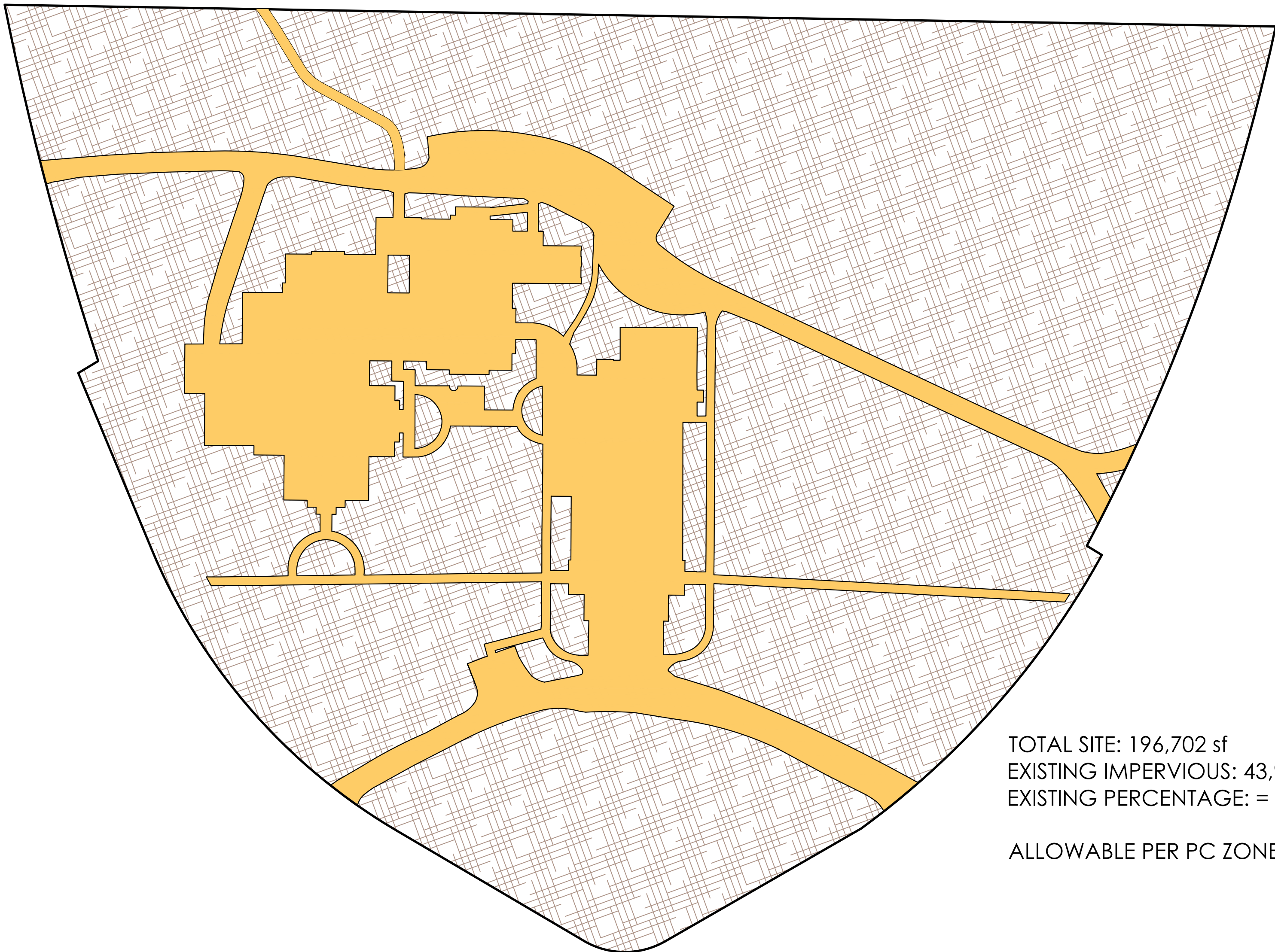
CD1-1

PROPOSED SITE PLAN

SCALE: 1" = 20'-0"

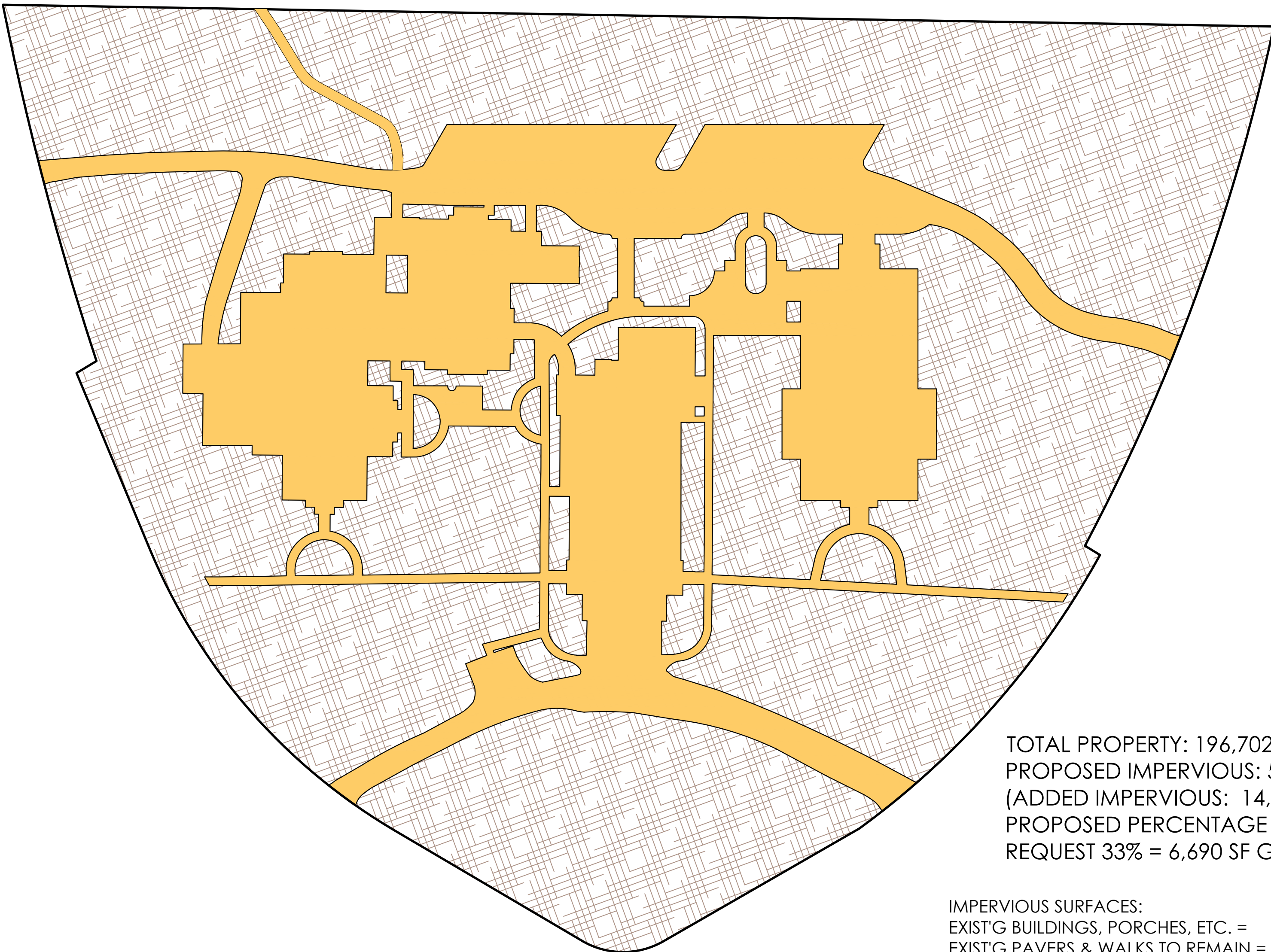
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CHECKED BY: DRB
DATE: 5.5.20
PROJECT #: XX

SHEET NUMBER
CD1
OF: 2



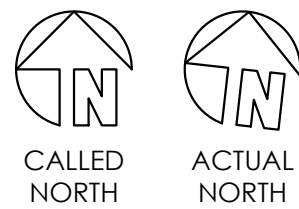
TOTAL SITE: 196,702 sf
EXISTING IMPERVIOUS: 43,928 sf
EXISTING PERCENTAGE: = 22.3%

ALLOWABLE PER PC ZONE = 12%

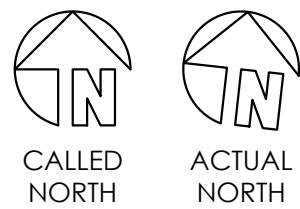


TOTAL PROPERTY: 196,702 sf
PROPOSED IMPERVIOUS: 58,222 SF
(ADDED IMPERVIOUS: 14,294 SF)
PROPOSED PERCENTAGE = 29.6%
REQUEST 33% = 6,690 SF GROWTH

IMPERVIOUS SURFACES:
EXIST'G BUILDINGS, PORCHES, ETC. = 21,711 SF
EXIST'G PAVERS & WALKS TO REMAIN = 6,501 SF
EXISTING ASPHALT PAVING TO REMAIN = 7,033 SF
PROPOSED BUILDING = 7,197 SF
PROPOSED ASPHALT PAVING = 11,325 SF
PROPOSED BRICK PAVERS = 4,455 SF
TOTAL PROPOSED IMPERVIOUS = 58,222 SF



CD2-1 EXISTING IMPERVIOUS SITE
SCALE: 1" = 40'-0"



CD2-2 PROPOSED IMPERVIOUS SITE
SCALE: 1" = 40'-0"

FIRE & RESCUE			Page 1/3
ISO Fire Flow Worksheet			
Needed Fire Flow Work Sheet (ISO formulas)			NFF = (C)(O)(I)(X+P) C=18F(AI)^0.5
Address:	10 Azalea Road		
Project Name:	Heritage Hall at the Village Chapel	Occupancy Type:	Church
Construction Type:	Ordinary	Number of Stories:	2
STEP 1			
Take the area, which is 100% sq. ft. of the first floor plus the following percentage of the total area of the other floors.			
First Floor Area in Sq. Ft	7197	Sq. Ft. @ 100%	
Additional Floors			
Enter total area in sq. ft for all other floors	3238		
Total Area Entire Building	8816		
STEP 2			
F = Coefficient related to the class of construction as determined by using the construction type found in SBCI			
Construction Type	Class	F Value	
Frame	1	1.5	
Joist Masonry	2	1	
Non-combustible	3	0.8	
Heavy Timber	4	0.8	
Modified fire resistance	5	0.6	
Fire resistive	6	0.6	
Construction Class	3		
Square Root of the Area x F x 18	1250	= C Value	

FIRE & RESCUE			Page 2/3
ISO Fire Flow Worksheet			
Needed Fire Flow Work Sheet (ISO formulas)			
STEP 3	Multiply result of rounded off GPM by the Occupancy Factor (OI)	Occupancy Factor	
Noncombustible (C-1)	No active fuel loads such as storage of asbestos, clay, glass, marble, stone, or metal products.	0.75	
Limited - Combustible (C-2)	Limited fuel loads such as airports, apartments, art studios, auto repair, auto showroom, aviaries, banks, barber shops, beauty shops, churches, clubs, cold storage warehouses, day care center, educational occupancies, gas stations, green houses, health clubs, hospitals, jails, libraries, medical labs, motels, museums, nursing homes, offices, radio stations, recreation centers, and rooming houses.	0.85	
Combustible (C-3)	Moderate fuel loads such as auto part stores, auto repair training center, bakery, bookstores, bowling centers, casinos, commercial laundries, contractor equipment storage, dry cleaners with no flammable fluids, leather processing, municipal storage buildings, nursery sales stores, pavilions, pet shops, photographic supplies, printers, restaurants, shoe repair, supermarkets, theaters, vacant buildings, and most wholesale & retail sales occupancies.	1.0	
Free-Burning (C-4)	Active fuel loads such as aircraft hangers, cabinet making, combustible metals, dry cleaners using flammable fluids, feed stores, furniture stores, kennels, lumber, packaging and crating, paper products manufacturing, petroleum bulk distribution centers, tire manufacturers, tire recapping or retreading, wax products, and wood working shops.	1.15	
Rapid-Burning (C-5)	Contents that burn with great intensity, spontaneously ignite, have flammable or explosive vapors, or large quantities of dust such as ammunition, feed mills, fireworks, flammable compressed gases, flammable liquids, flour mills, highly flammable solids, matches, mattress factories, nitrocellulose-based products, rag storage, upholstery shops, & waste paper storage.	1.25	
Occupancy Class Selected (1 thru 5)	2		
GPM x OI	1062.5		

FIRE & RESCUE			Page 3/3
ISO Fire Flow Worksheet			
Needed Fire Flow Work Sheet (ISO formulas)			
STEP 4	Now consider the exposure factor (Xi) - (Separation between buildings)		
Distance (feet to the exposed building)	Xi	>3 stories	
0-10	0.22	0.47	
11-30	0.18	0.43	
31-60	0.13	0.38	
61-100	0.09	0.34	
Distance, in feet, to the exposed building	42		
Xi (from table)	0.13		
Multiply GPM from step 4 by (1+Xi)			
Total From Step 4	1201		
STEP 5	Approved Fire Sprinkler System? (Y or N)	y	
Take fire flow from step 5 and multiply by sprinkler credit of 0.25	Sprinkler credit	300	
Now subtract sprinkler credit from fire flow in step 4			
NEEDED FIRE FLOW	1000 GPM		

MINIMUM ALLOWABLE PER NCFC = 1,500 GPM

CONDITIONAL DISTRICT SITE PLAN

GENERAL CONCEPT PLAN
IMPERVIOUS CALCS

REVISED 6.3.20:
THE FOLLOWING REVISIONS WERE MADE PER COMMENTS FROM VILLAGE PLANNING AND ENGINEERING STAFF FROM T.R.C. REVIEW OR CHURCH DECISION:

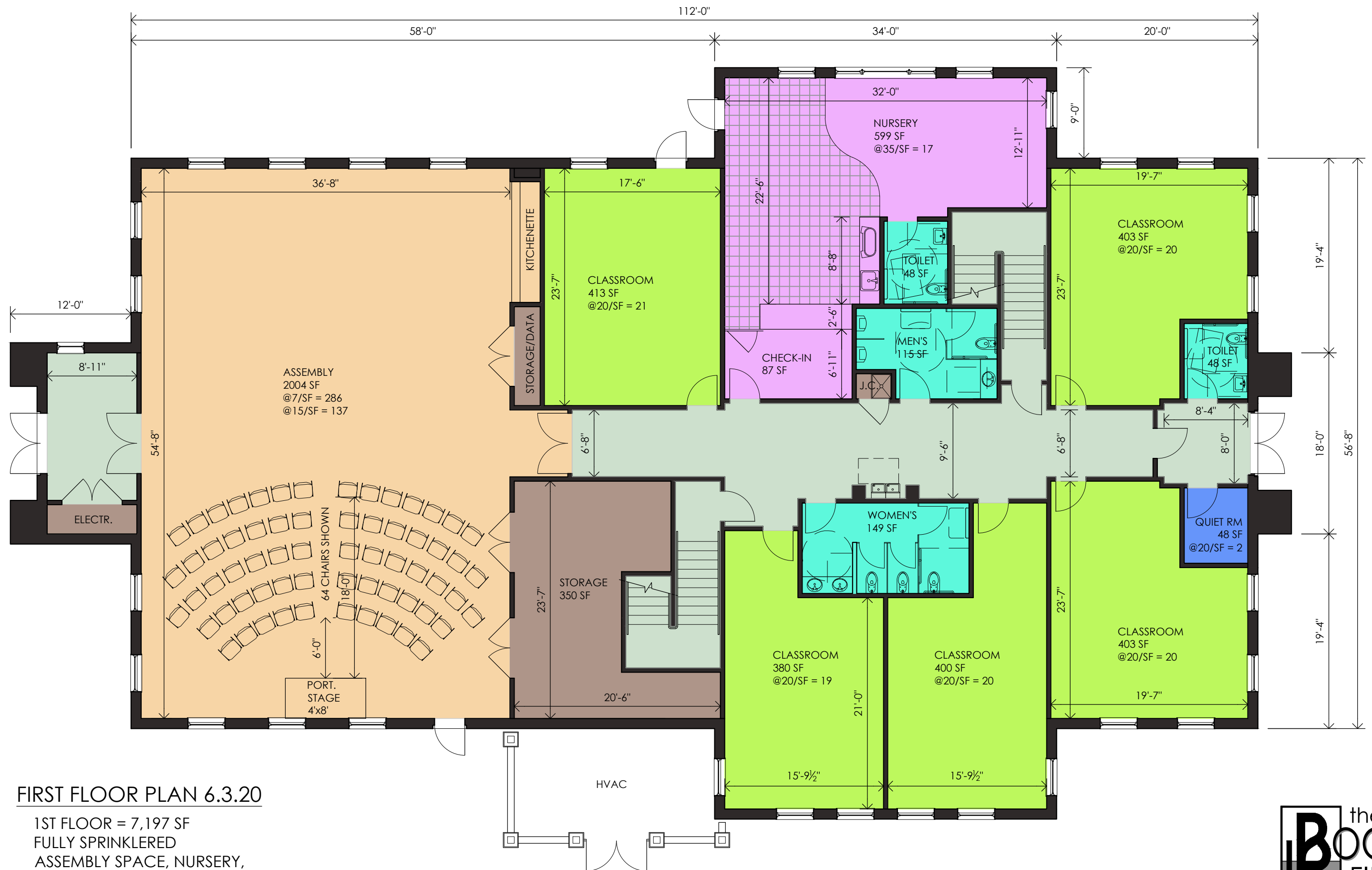
- ADDED BREAKDOWN OF TOTAL IMPERVIOUS SURFACES
- REDUCED IMPERVIOUS REQUEST FROM 35% TO 33%.

HERITAGE HALL

THE VILLAGE CHAPEL
PINEHURST, NC

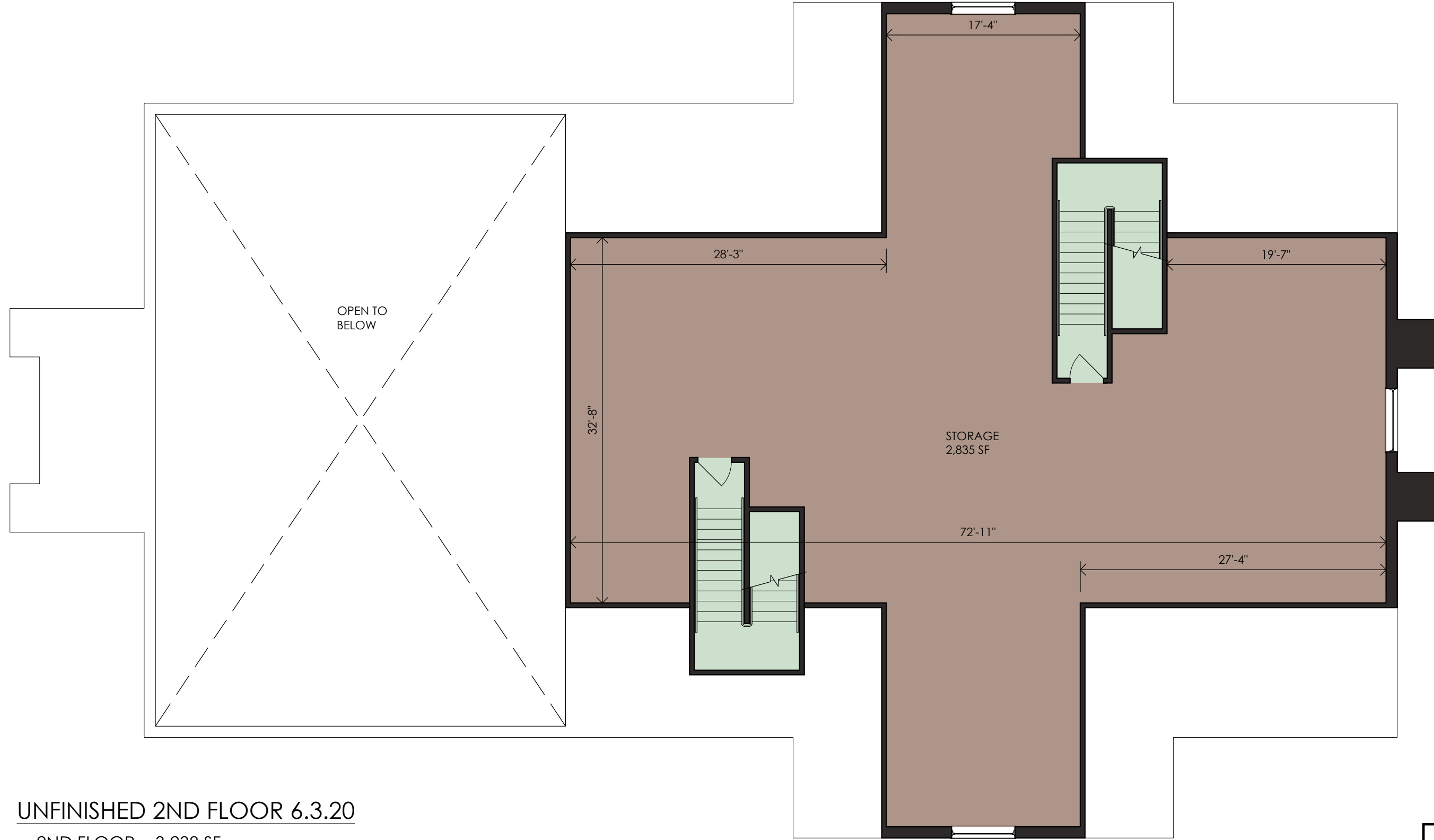
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CHECKED BY: DRB
DATE: 5.5.20
PROJECT #: XX

SHEET NUMBER
CD2
OF: 2



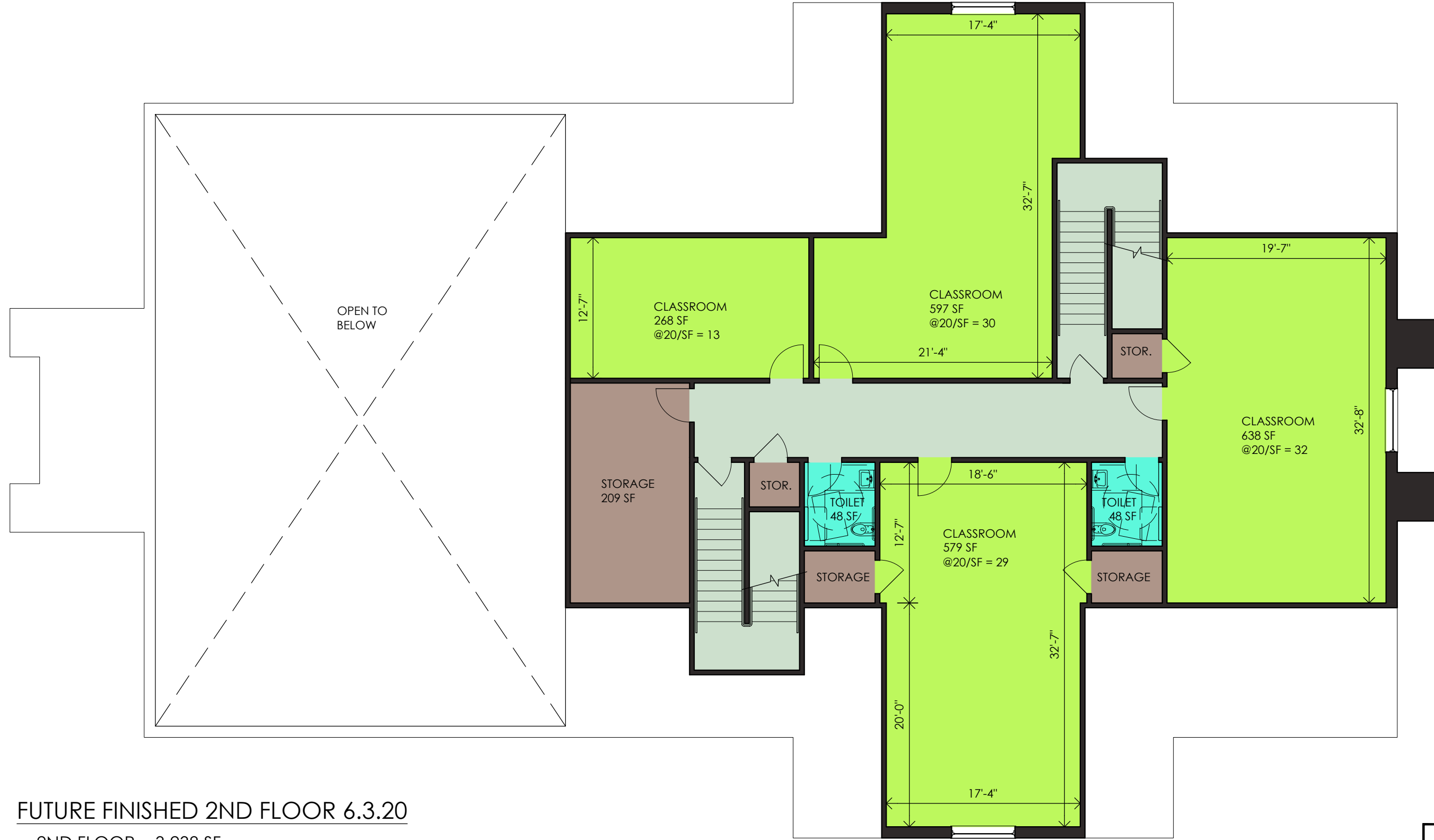
FIRST FLOOR PLAN 6.3.20

1ST FLOOR = 7,197 SF
FULLY SPRINKLERED
ASSEMBLY SPACE, NURSERY,
5 CLASSROOMS, TOILETS,
STORAGE.



UNFINISHED 2ND FLOOR 6.3.20

2ND FLOOR = 3,238 SF
FULLY SPRINKLERED
STORAGE



FUTURE FINISHED 2ND FLOOR 6.3.20

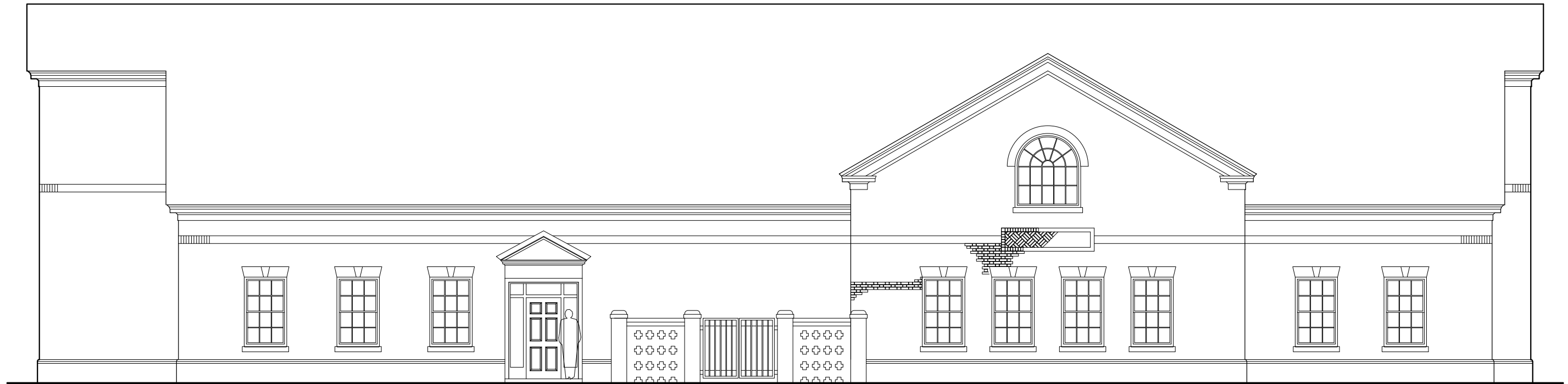
2ND FLOOR = 3,238 SF
 FULLY SPRINKLERED
 4 CLASSROOMS, TOILETS,
 STORAGE.



EAST ELEVATION 6.3.20



NORTH ELEVATION 6.3.20



WEST ELEVATION 6.3.20

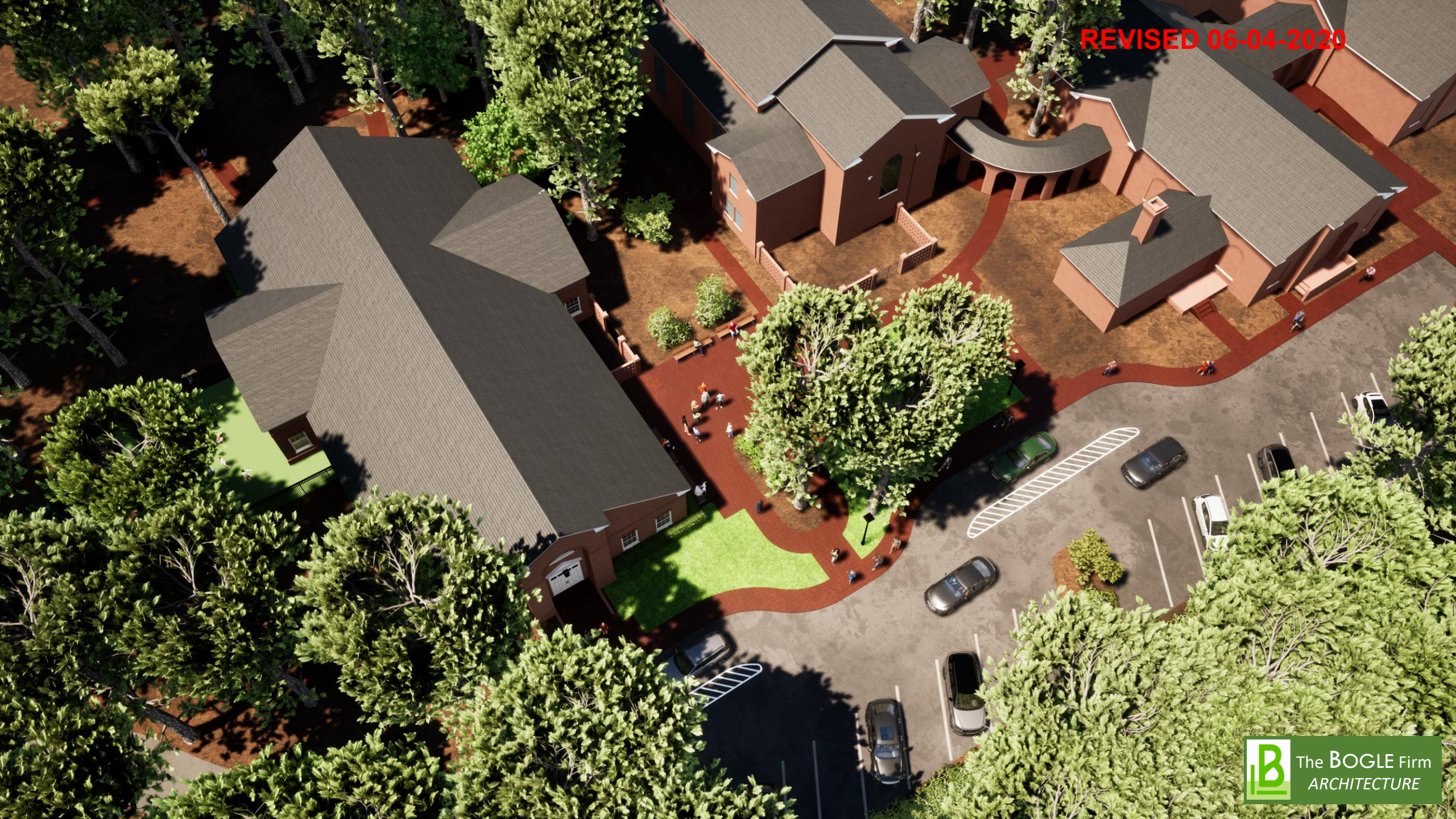


SOUTH ELEVATION 6.3.20

REVISED 06-04-2020



REVISED 06-04-2020



REVISED 06-04-2020



REVISED 06-04-2020



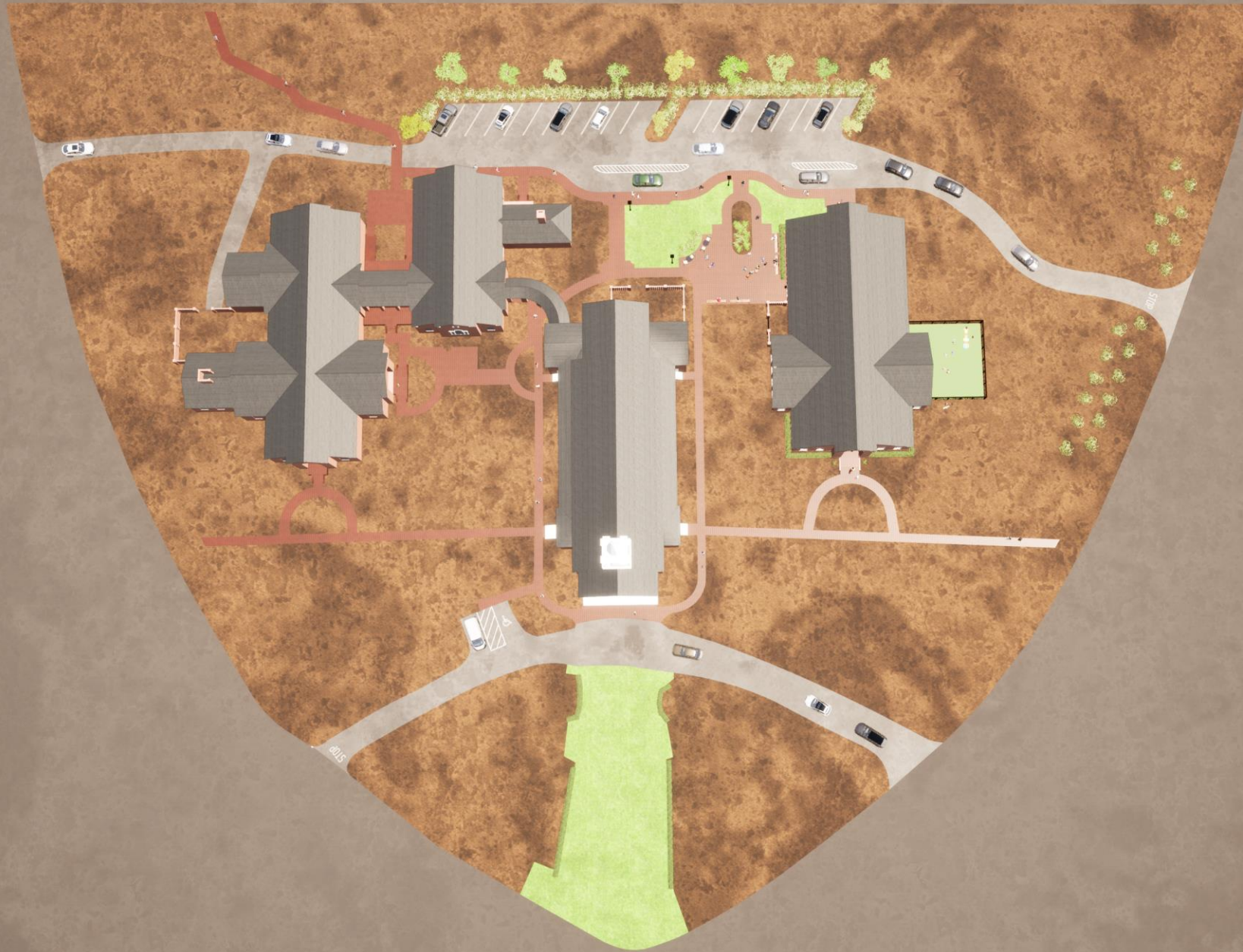
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The BOGLE Firm
ARCHITECTURE

REVISED 06-04-2020



REVISED 06-04-2020



REVISED 06-04-2020



REVISED 06-04-2020



View A

REVISED 06-04-2020



View B

REVISED 06-04-2020



View C

REVISED 06-04-2020



View D

REVISED 06-04-2020



View 1

REVISED 06-04-2020



View 2

REVISED 06-04-2020



View 3

REVISED 06-04-2020



View 4

REVISED 06-04-2020



View 5



The BOGLE Firm
ARCHITECTURE

REVISED 06-04-2020



View 6

REVISED 06-04-2020



View 7



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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

April 3, 2020

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

Re: Village Chapel Heritage Hall Project, 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 construction of the Heritage Hall building and attached playground. 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 7,317 square foot building with an attached 1,400 square foot playground, small mechanical area, associated access roads and parking area on the 4.5 acre Village Chapel grounds located south of the Village Green and north of Azalea Road in Pinehurst, Moore County, North Carolina.

Based upon a survey completed by staff of Dr. J.H. Carter and Associates Inc. in March of 2020 there were no red-cockaded woodpecker cavity trees found on the project site. The project will remove approximately 37 pines ≥ 10 inches in diameter at breast height (dbh). The project site is located outside of any known red-cockaded woodpecker clusters therefore no impacts to red-cockaded woodpeckers are anticipated.

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 this property, I encourage your client to minimize the removal of mature pine trees greater than 8 inches in diameter, take measures to prevent damage to the bole and root system of the remaining 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



The Village Chapel

10 Azalea Road
Pinehurst, North Carolina 28374

March 18, 2020

Dear Neighbor,

The Village Chapel is in the process of submitting an application to various regulatory agencies in the Village for a permit to construct an additional building on the east side of our campus at 10 Azalea Road in Pinehurst. As required by the Pinehurst Municipal Code we are advising you about our application.

Pinehurst demographics have evolved and changed over the years. Every institution in the Village is affected by these changes. The Village Chapel congregation is now much younger and serves many more families with younger children. Our educational programs and our physical space requirements are impacted by this significant change.

The Village Chapel and its predecessor, The Pinehurst Religious Association founded in 1898, have occupied a unique role as an interdenominational church in the history of the Village. Today we are the spiritual home to not only our members, the majority of whom reside in Pinehurst, but also to thousands of visitors from all over the world. In addition to our primary spiritual role, our resources are a centerpiece in the Pinehurst cultural, educational and civic community. We are a well-known venue to a wide variety of well-attended secular and religious events throughout the year.

The Village Chapel is funded solely by membership contributions. To continue to be spiritually relevant to our membership and financially viable, we need the resources to meet their needs. Our existing campus does not provide the appropriate space to permit us to do that. Our planned addition is in response to that need.

Our sanctuary, built in 1924, is on the register of National Historic Places. It has long been recognized for its excellence in architecture and design. Responding to changes within the church as members became increasingly full-time rather than seasonal residents, the Chapel added architecturally compatible space in 1961 and again in 1991. Our proposed addition, Heritage Hall, continues in that historic design tradition. When completed and landscaped it will look like it has always been here.

We have scheduled a meeting to give you an opportunity to learn more about our plans and ask questions, and for us to listen to any issues or concerns you might have. Illustrative drawings and video models will be available at the meeting which will be held at:

Chapel Hall

The Village Chapel

10 Azalea Road

Thursday, April 2, 2020

2 PM

You or a designated representative are invited to attend. No prior acknowledgement is necessary.

Realizing that this meeting schedule may not work for some of you, we will be pleased to arrange a mutually convenient time to meet with you individually. We must, however, have those discussions not later than April 15, 2020.

REVISED 06-04-2020

For more information or to arrange an alternative individual meeting time please contact LuAnn Kinney, our church administrator, at the Village Chapel offices between 9AM and 4PM weekdays. Her phone number is (910) 295-6003 and her email is luann@tvcpinehurst.com. An appropriate representative will respond to your inquiry or request.

Sincerely yours,

The Village Chapel

A handwritten signature in black ink, appearing to read "John Rowerdink". The signature is written in a cursive, flowing style.

John Rowerdink

Chairman

Board of Trustees

The Village Chapel - Adjacent Property

[illegible]

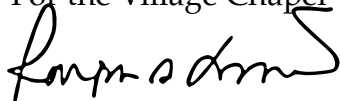
AFFIDAVIT

May 4, 2020

In conjunction with the permit application of The Village Chapel submitted to the Village of Pinehurst regarding its property at 10 Azalea Road, the following actions were taken as prescribed in § 6.1.3 of the Development Ordinance:

- With ten days written advance notice, a letter was sent by US mail to all adjacent property owners (excluding the Village of Pinehurst) announcing an informative meeting at 2PM April 2, 2020 regarding a presentation about our plans and application. A copy of the letter is enclosed as Appendix A. A list of the adjacent property owners is included as Appendix B. The letter was sent to the address of record of each adjacent property owner as it appeared in Moore County records. In addition to the meeting, interested parties were advised in the letter that upon request individual meetings could also be arranged.
- On April 2, 2020 the meeting was conducted as scheduled. No invited adjacent property owner or their representative attended. After one hour from the announced start time, the meeting was adjourned.
- Prior to the meeting Stuart Paul, an out of town adjacent property owner, requested additional information by email. The requested information was promptly sent by return email and acknowledged by the recipient. In our reply to that inquiry an offer was made to answer any questions. We have received and answered additional questions from Mr. Paul and a neighbor but not adjacent property owner, James Spoonhour. Information provided consisted of architectural rendering, site plans, and answers to specify questions. There has been no response to our last communication providing these materials.
- After more than month from the date of our initial letter, other than the contacts noted, there has been no other communication to us initiated by any adjacent property owner or their representative.

For the Village Chapel



Ralph S. Newman, Jr
Coordinator
Community Liaison

Dear Ambassador Trail:

Below is Pinehurst's decision regarding the request you presented this week:

"Pinehurst will approve parking to be allowed as shown on the 2020 project map contingent on approval by the Village of the overall plan. So, Village Chapel is welcome to submit and we will provide VOP necessary "contingent approvals" as shown. However, if subsequently VOP for any reason turns down the project, the restrictions on the two acres remain as noted in the original document."

Mr. John May, Esq. has also been made aware of this decision. Good luck and have a great weekend!

Warm Regards,

Cindy Ciorra

Executive Assistant to

Richard Higginbotham, SVP/CFO

Pinehurst Resort & Country Club

P.O. Box 4000 | Carolina Vista | Village of Pinehurst, NC 28374

p. 910 235-8703 | f. 910 255-3273 | Cindy.Ciorra@Pinehurst.com | www.pinehurst.com

"It's a beautiful day at Pinehurst"

(from email)

Subject: Village Chapel

Date: Fri, 21 Feb 2020 15:39:34 +0000

From: Cindy Ciorra <Cindy.Ciorra@pinehurst.com>

To: trail@nc.rr.com <trail@nc.rr.com>

CC: Dick Higginbotham <Dick.Higginbotham@pinehurst.com>



PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT

To: Planning and Zoning Board
From: Alex Cameron, Senior Planner
Cc: Darryn Burich, Planning & Inspections Director
Date: May 28, 2020
Subject: Staff Report for the Proposed Conditional District Rezoning of Parcel ID# 00029674 addressed as 10 Azalea Rd.

Applicant:	Pete Bogle, AIA The Bogle Firm Architecture, PLLC
Owner:	The Village Chapel, Inc.
Current Zoning	PC (Public Conservation District) is established as a district in which the primary use of the land is reserved for the general public for recreation, parks, natural or man-made bodies of water, forests and other similar open space uses, and other government uses that provide public services to the residents of Pinehurst. This district is intended to preserve and protect environmentally sensitive lands (e.g. floodways, wetlands) and/or properties otherwise restricted for public recreational use.
Proposed Zoning:	PC-CD (Public Conservation – Conditional District) is established as a district in which the primary use of the land is reserved for the general public for recreation, parks, natural or man-made bodies of water, forests and other similar open space uses, and other government uses that provide public services to the residents of Pinehurst. This district is intended to preserve and protect environmentally sensitive lands (e.g. floodways, wetlands) and/or properties otherwise restricted for public recreational use.
Current Land Use:	Religious Institution
Proposed Land Use:	Religious Institution

Request:

The applicant requests an official zoning map amendment for a conditional district zoning of one parcel of land currently zoned PC (Public Conservation District) to PC-CD (Public Conservation – Conditional District). The proposed use of the area would remain as a religious institution with the addition of an approximate 7,197 square foot Christian education building on the Village Chapel campus with associated features including access, parking and a playground. The proposed rezoning would only change the existing zoning of the property to a Conditional Zoning District. A General Concept Plan is required as part of a Conditional District rezoning application. If the Conditional District rezoning and General Concept Plan is approved, the plan then becomes a site-specific zoning plan and a condition of the rezoning. Any substantial changes to an approved General Concept Plan as stated in Section 6.2.3 (B) of the Pinehurst Development Ordinance (PDO) shall be reviewed by the Planning and Zoning Board and approved or denied by the Village Council. All other changes to an approved General Concept Plan that are not substantial and do not alter the basic development concept may be approved by the Village Planner.

The main goal for the applicant to pursue a conditional district rezoning is to request a condition to allow for a maximum impervious coverage of 35% for the property. The PC Zoning District allows for a maximum of 12% impervious coverage. The existing site has an impervious coverage of 22.3% making the site non-conforming to this regulation. The buildings and related site features were constructed prior to the PC Zoning being placed on the property after the incorporation of the Village of Pinehurst and adopting of zoning and development regulations. Therefore the property is “grandfathered” and this creates a legal non-conformity. However, the non-conformity would not be allowed to increase which would limit the site from any future development that would increase the impervious coverage on the lot. The development as depicted on the General Concept Plan indicates a proposed new impervious surface of 29.6%. If the proposed Conditional District Rezoning and associated General Concept Plan were to be approved with the proposed conditions, development could occur on the property on the basic concept of the General Concept Plan and also allow future development up to the 35% impervious threshold.

Included with this conditional district rezoning request are an application, General Concept Plan, project narrative, floor plans, elevations, renderings, neighborhood meeting summary, trip generation, hydrant flow test, ISO calculations and a biological assessment for red-cockaded woodpecker impacts from the United States Fish and Wildlife Service.

The applicant is asking for the following conditions:

	Type	Requested Condition	PDO Requirement	PDO Section No.
1	Maximum impervious coverage	35%	12% (22.3% existing)	9.2a
2	Installation of sidewalks along existing street frontage of the development	Not be required	Required	9.16.1.8(a) (4)
3	Allowable Uses and SR's (Special Requirements)	Limit to: Religious Institution (waive SR-18) Parking Lot Playgrounds with SR-107 Cemetery with SR-101 Concealed Wireless with SR-103 Accessory Buildings with SR-108 Accessory Structures with SR-110 All Temporary Uses with all SR's	All uses allowed per Table 8.5 with applicable SR's and all Temporary Uses	8.5, 8.6, 8.7 & 8.8

Surrounding properties contain multiple zoning designations and land uses. See the table below and attached "Area Zoning Map".

Adjacent Land Uses and Zoning		
Area	Existing Uses	Zoning
North	Government – Public/Recreational (Village Green)	PC and LHD (Local Historic Preservation Overlay)
South	Single Family Residential, Sandhills Women's Exchange and Pinehurst Resort Clubhouse, Tennis and Pool Facility	R-10 , RD and LHD
East	Single Family Residential	R10 and LHD
West	Bank and Pinehurst Resort Clubhouse, Tennis and Pool Facility	OP, RD and LHD
Comprehensive Plan Land Use Designation		
Parcel ID # 00029674	Non-Residential "Village Core"	

Analysis:

The subject property is defined as being Moore County Parcel ID# 00029674, is addressed as 10 Azalea Rd. and totals approximately 4.5 acres in size. It is currently within the Village's corporate limits and within the Local Historic Preservation Overlay District (LHD) and the National Historic Landmark District.

As mentioned previously, the property is the site of The Village Chapel campus. The Village Chapel is a historic structure and was first established in 1898 by James Walker Tufts. The main chapel was constructed in 1924 and is approximately 6,800 square feet. Two additional buildings were constructed on the property. In 1961 the Administration building consisting of approximately 3,844 square feet was built and the Chapel Hall was constructed in 1991 containing approximately 7,558 square feet.

The applicant indicates that the proposed addition of the "Heritage Hall" on the east side of the site will provide for needed space for the church and will be primarily used as a children's Christian education center. The proposed building is a 1 ½ story building with an approximate footprint of 7,317 square feet with approximately 3,238 square feet of unfinished second story which can be used as storage space and potential future classroom or meeting space if needed. The proposed height of the building is just under 33 feet, meeting the maximum height requirement of 35 feet. The Heritage Hall will be roughly seven feet shorter than the ridgeline of the main sanctuary and compatible with the height of the other structures on the site. The applicant has designed the roofline to reflect similar elements found in the other buildings on the site. The exterior materials and features (brick, roof, windows, doors and other details) will also match those found on the other buildings on the site. There are no physical connections to the existing sanctuary. The Heritage Hall is setback about 70 feet from the sanctuary and aligning with the front façade of the Chapel Hall building. This placement creates a more balanced site and keeps the original chapel as the focal point of the property. An approximate 1,400 square foot playground is also proposed and shown on the east (right) side of the Heritage Hall. The playground will be fenced with a wrought-iron style fence and is indicated to be four feet in height. Any fencing will need to meet the requirements of the PDO. Due to the site being located within the Local Historic District, a Certificate of Appropriateness (COA) will need to be issued by the Historic Preservation Commission (HPC) for the proposed additions to the site. The HPC decided to grant the request for a COA in a public hearing held at its regular meeting on May 28th.

A neighborhood meeting was required of the applicant prior to submitting the conditional rezoning request. The applicant notified all adjacent property owners. However, due to the current COVID-19 pandemic, absentee property owners and one property being a corporation, no one attended. One adjacent property owner requested information on the proposal to be sent via email. According to the applicant, materials were sent via email and acknowledged by the neighbor. Please find the results of that meeting as reported by the applicant including an affidavit of other contacts from neighbors on this request included with the applicant's submitted materials.

This site contains no floodplains, wetlands or active partition cluster or impacts for red-cockaded woodpeckers (RCW) as stated in the submitted letter from the United States Fish and Wildlife Service (USFW). A majority of the site is located within the WS-II Watershed Protection District which limits non-residential development to 12% built-upon area unless a Special Intensity Allocation (SIA) is granted by Village Council. This proposal includes the addition approximately 7.3 % of built-upon or impervious area. Therefore, due to existing development prior to June 21, 1993 and the proposed new development not exceeding 12% a Special Intensity Allocation will not be required for this proposal.

A planted landscape buffer will be required with this proposal where development is occurring along the property edge abutting the adjacent properties across Village Green Rd. E. Parking area landscaping will also be provided in accordance with Section 9.5.1.4 of the PDO. The submitted General Concept Plan is only required to show the general location and dimensions of the required landscaping while the construction documents will have the total required number, sizes and species of plant material.

The site contains many mature trees native to the Sandhills and typical of the Longleaf Pine Ecosystem. A survey indicates there are roughly 430 trees across the 4.5 acre site. This proposal indicates that 47 trees, 40 of which are pines, will need to be removed to allow for the proposed structure and associated site features. The applicant indicates that the required landscaping will be met by installing longleaf pines, dogwoods, redbuds, camellias, azaleas and holly varieties. These species are both required and recommended in the PDO. Existing healthy trees can also be met to meet the required number of plantings.

The proposed access to the site will remain as a one-way ingress off Village Green Rd. W. The existing exit off Village Green Rd. E is proposed to be removed while providing a new exit off Village Green Rd. E. slightly to the north of the existing exit. A new, slightly reconfigured parking area is being proposed containing a total of 18 spaces resulting in a net gain of 5 parking spaces. All paved areas will be paved with heavy duty asphalt in order to support a fire apparatus. The PC District does not have an off-street parking requirement. A trip generation based on ITE standards was completed and included with this submittal. Based on the use, Village staff does not feel that this proposal will necessitate a Traffic Impact Analysis (TIA) or any additional roadway or signal improvements.

New internal brick paver sidewalks/access isles are proposed across the property to allow for pedestrian connectivity within the campus itself. A new brick paver patio is also shown near the back corner of the new structure and adjacent to the new parking area. No new sidewalks are proposed along the existing street frontage of the development as required by the PDO. The applicant is asking that this requirement be waived and is included as a proposed condition of the rezoning. Currently there are sidewalks along both sides of Village Green Rd. W up to the Village Chapel property. The sidewalk on the opposite side of Village Green Rd. W continues to Azalea Rd. and heads west toward the small traffic circle. Also, there is existing sand paths along the Village Green property currently owned by the Village which provides pedestrian movement around the Village Green and Village Core.

The applicant is proposing a few drywells on site to manage the post-development stormwater. The proposed approximate location of the drywells are indicated on the General Concept Plan. Per the Village's Engineering Standards and Specifications Manual (ESSM), the proposed drywells shall be designed such that the post-development runoff does not exceed the pre-development runoff rate for a 10-year storm event. If the rezoning and General Concept Plan are ultimately approved, calculations demonstrating this requirement will be met will be required at the time of construction document submittal.

Public water and sewer are available and will be provided by Moore County Public Utilities (MCPU). MCPU have reviewed the General Concept Plan and deemed it be satisfactory at the conceptual stage of review and approval with more details to be worked out during the construction document phase. A hydrant flow test was also performed to determine what the current available flow nearby would be. The flow test resulted in a theoretical fire flow of 1,988 gallons per minute (GPM). This would meet the required fire flow for the building. A new hydrant will have to be installed and located closer to the site, within 300 feet within

all portions of the building and within 50 feet of the FDC connection, before final approval of the site plans during the construction document phase. This will necessitate a new water line extension to the site. A full hydraulic model of the water system will need to be performed at that stage as well to ensure there is adequate flow to the site after this extension.

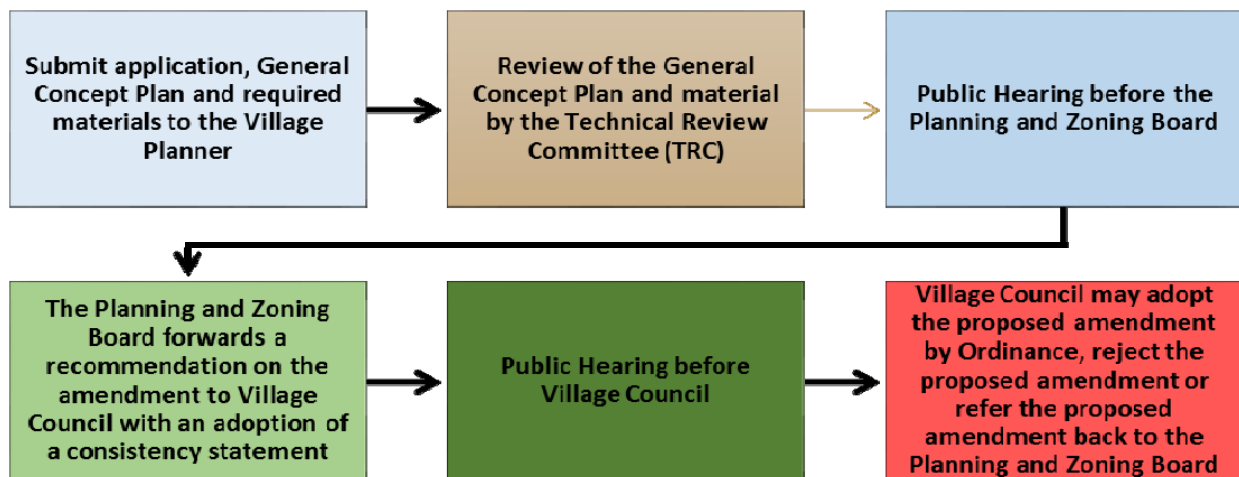
The Technical Review Committee (TRC) has reviewed the application and General Concept Plan and have issued comments to the applicant. Most of the comments can will need to be addressed at the construction document phase of the project. The TRC is comfortable with the General Concept Plan moving forward to review and consideration of the Planning and Zoning Board.

Planning and Zoning Board Action and Conditional District Rezoning Process:

After holding a public hearing on the proposed zoning map amendment, the Planning and Zoning Board must adopt a consistency statement describing how the proposed amendment is or is not consistent with the Long Range Comprehensive Plan and may recommend approval or denial of the proposed map amendment to Village Council. If the board recommends approval of the proposed amendment but adopts a statement of inconsistency with the Long Range Comprehensive Plan, then the plan is deemed to be amended.

The Planning and Zoning Board can ask to impose more restrictive conditions that are not included with proposal but the applicant must consider and agree to any additional or different conditions. However, no changes can be made to the proposed conditions that are less restrictive than those stipulated in the proposal.

If there are more questions or concerns that need to be addressed, the Planning and Zoning Board can continue the public hearing to a specific date, place and time but a recommendation to Village Council must be made within 30 days of the first scheduled public hearing of this board.



Plan Consistency:

The base zoning of the property will not change with this proposed amendment. The use that is proposed as part of this project is consistent with the existing use as a religious institution and is a permitted use in the PDO. The only deviation from the requirements of the PDO is the increase in impervious surface. The property is currently not compliant with the impervious surface limitation of the PC Zoning District. The proposed condition to allow the lot's maximum impervious surface coverage to reach 35%, a 12.7% increase, would allow the church to expand and continue providing its service to the residents of Pinehurst.

The proposed zoning district is consistent with the recommended land use for the subject area as identified on the Conservation and Growth Map on page 62 of the 2019 Comprehensive Plan which identifies the area as "Village Core". Due to the fact that the base zoning and proposed use is not changing with this request, the proposed amendment is consistent with the "Village Core" designation on the Conservation and Growth Map in the 2019 Comprehensive Plan.

Guiding Principle #1 on page 30 of the 2019 Comprehensive Plan under Village Character and Authenticity states that the Village should retain the small-town charm, scale, and character of the community to ensure a high quality of life. As stated on page 31 of the Comprehensive Plan, the three most distinctful physical factors contributing to character in Pinehurst are its 1) well-maintained landscaping and natural environment, 2) architecture, and 3) curvilinear streets. These all are vitally important to the overall appearance of the Village especially along major roads and gateways to the Village. This proposal creates a more bi-lateral and balanced site and will provide for all the required landscaping requirements of the PDO and minimize the removal of mature, specimen trees on the site. The design and architecture of the proposed building will also match other buildings on the site which will preserve the existing character of the property and the area. Implementation Strategy 1.1 identified on page 45 is to promote private preservation efforts in the historic Village Center and support the efforts of the Historic Preservation Commission. The Historic Preservation Commission issued a Certificate of Appropriateness for the proposed building in its regular meeting held on May 28, 2020.

The Village's vision is to "Promote, enhance, and sustain the quality of life for residents, businesses, and visitors." page 32 identifies means that the Village can maintain and enhance quality of life including preserving the historic character of the Village Center, expanding arts, culture and entertainment in Pinehurst and adapting to change as residents become more diverse in age, interests and backgrounds and as their needs are expected to change as the composition of the community changes. This request would allow the church to expand services to a growing community and could help enhance the quality of life for residents and visitors.

Staff Recommendation:

Planning staff recommends approval of the rezoning request for PID # 00029674 to PC-CD (Public Conservation – Conditional District) as submitted and recommends the Board adopt the consistency statement below.

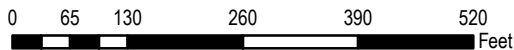
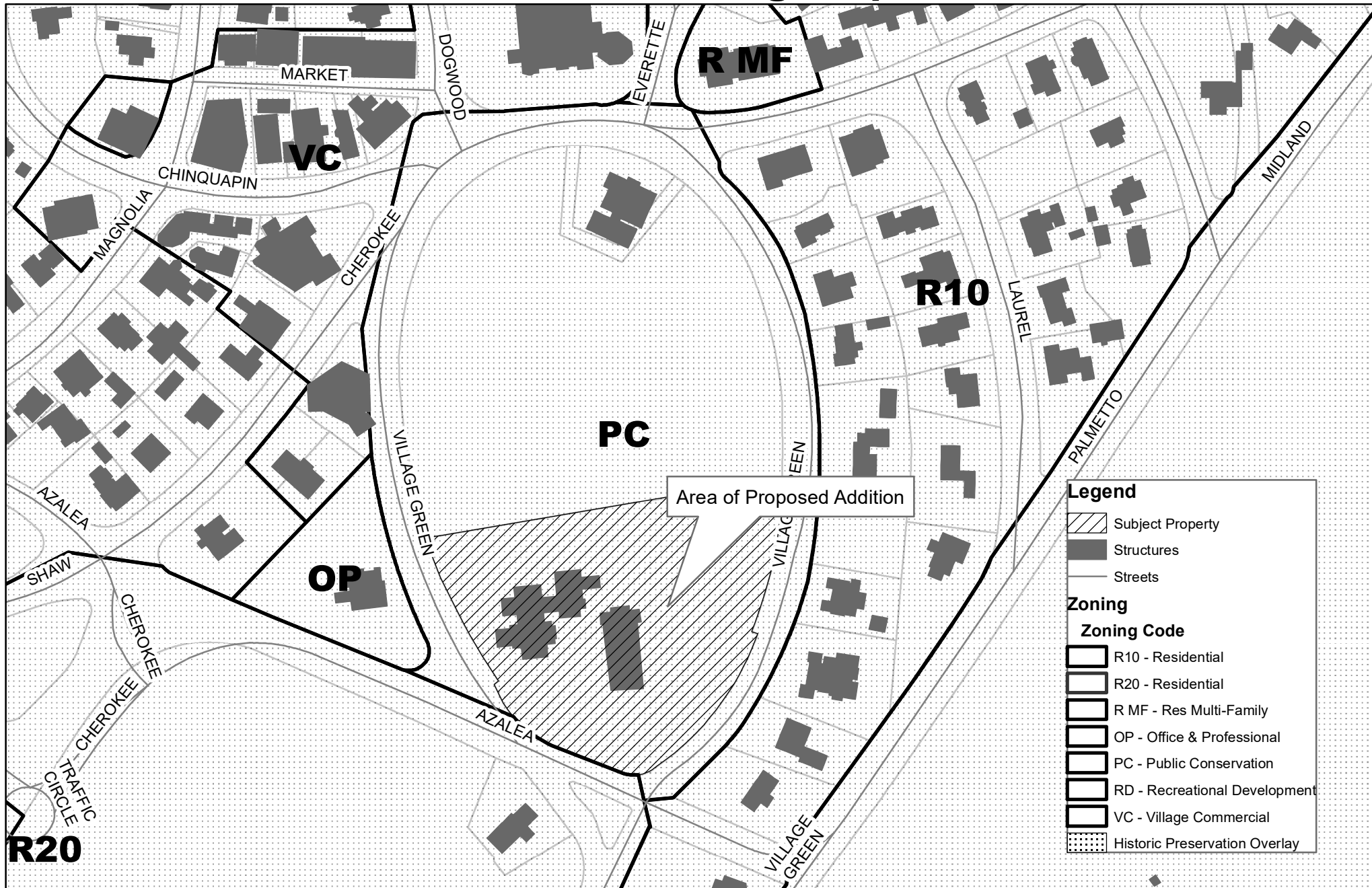
Comprehensive Plan Consistency Statement:

The proposed rezoning is consistent with the Conservation and Growth Map on page 62 of the 2019 Comprehensive Plan which identifies the area as “Village Core” and that the proposed zoning district of PC-CD is consistent with “Village Core” designation as the base zoning and permitted use will not change. Additionally, the proposed rezoning will help enhance quality of life for Village of Pinehurst by expanding religious services to residents and visitors and preserving the Village’s Character and Authenticity as stated on pages 31, 32 and 45 of the 2019 Comprehensive Plan. Therefore, this amendment is consistent with the goals of the 2019 Comprehensive Plan and achieving goals in accordance with the Comprehensive Plan and other planning documents of the Village is considered reasonable and in the best interest of the public.

Attachments:

- Area Zoning Map
- Aerial Map
- Adjacent Property Owner Notification
- Labels of Adjacent Property Owners Notified
- Map of Adjacent Property Owners Notified
- Comprehensive Plan Consistency Statement

Area Zoning Map

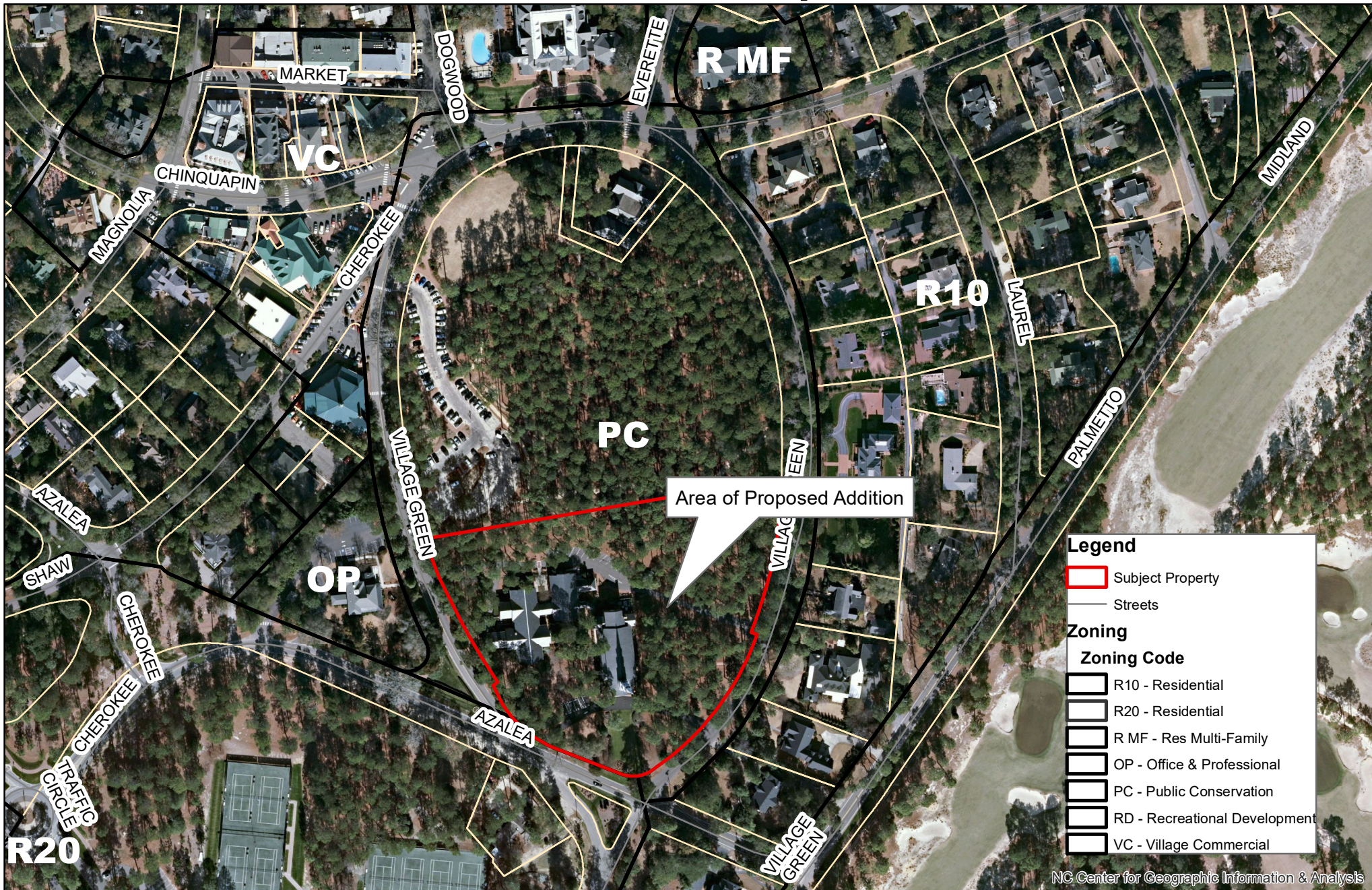


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June 4, 2020
 Planning and Zoning Board
 Public Hearing for Conditional Rezoning



Aerial Map



0 65 130 260 390 520 Feet

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June 4, 2020 Planning and Zoning Board Public Hearing for Conditional Rezoning





HISTORY, CHARM, AND SOUTHERN HOSPITALITY

NOTICE OF PUBLIC HEARING VILLAGE OF PINEHURST

Dear Property Owner:

The Village of Pinehurst Planning and Zoning Board will be holding a Public Hearing on:

Thursday, June 4, 2020

4:00 PM

Pinehurst Village Assembly Hall
395 Magnolia Rd. Pinehurst, NC 28374

The purpose of the public hearing is to consider an Official Zoning Map Amendment. This map amendment includes one parcel of land consisting of approximately 4.5 acres further identified as Moore County PID # 00029674 and would zone the property PC-CD (Public Conservation – Conditional District). The property is currently zoned PC (Public Conservation District). The proposed rezoning will allow for the addition of an approximately 7,317 square foot Learning Center. The applicant and property owner is the Village Chapel Inc.

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/>.

ORION VENTURE BOA, LLC C/O BANK
OF AMERICA
NC1-001-03-81
CHARLOTTE NC 28255

ARTHUR, DION J
15 HERON ST
WRIGHTSVILLE BEACH NC 28480

VILLAGE OF PINEHURST
395 MAGNOLIA RD
PINEHURST NC 28374

VILLAGE OF PINEHURST
395 MAGNOLIA RD
PINEHURST NC 28374

VILLAGE GREEN EAST LLC
352 COURTYARD LN
FAYETTEVILLE NC 28303

SANDHILLS WOMAN'S EXCHANGE
PO BOX 215
PINEHURST NC 28370

ANDERSON, ROBERT C JR & ANNE M
40 VILLAGE GREEN RD
PINEHURST NC 28374

FOWNES COTTAGE, LP
5956 SHERRY LANE SUITE 1800
DALLAS TX 75225

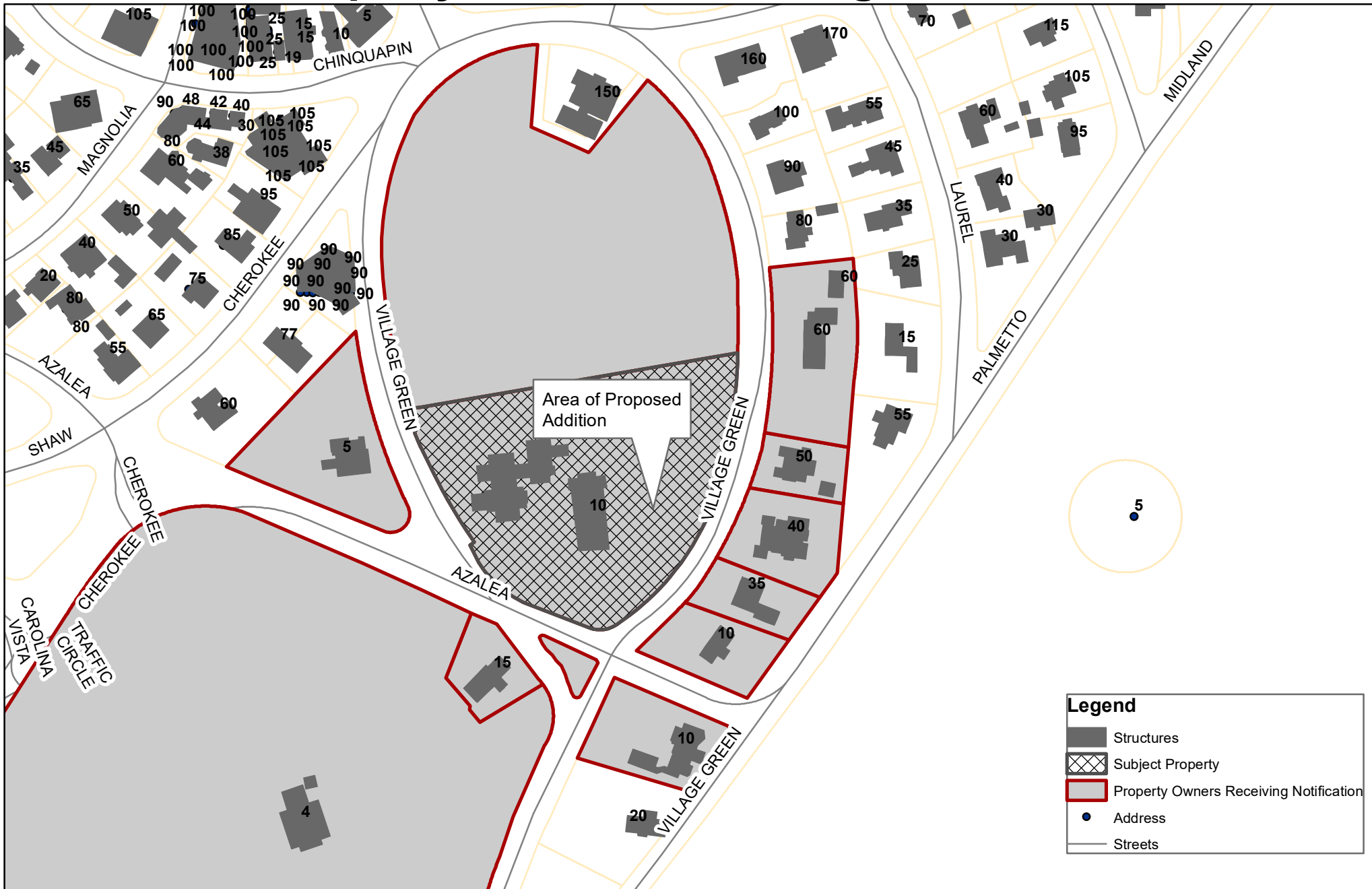
PAUL, STUART WATSON & ALISON
JANE 8/2 GREAT STUART STREET
EDINBURGH EH3 7TN

VILLAGE CHAPEL INC
10 AZALEA RD
PINEHURST NC 28374

GOODSON, G ROYDEN GOODSON,
MARTHA W
102 RIVERSIDE DRIVE
NEWPORT NEWS VA 23606

RESORTS OF PINEHURST INC ATTN:
RICHARD HIGGINBOTHAM
PO BOX 4000
PINEHURST NC 28374

Property Owners Receiving Notification



June 4, 2020

Planning and Zoning Board

Conditional District Rezoning Public Hearing



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). P:\esri\Bases Map for Boards.mxd 5/21/2020



HISTORY, CHARM, AND SOUTHERN HOSPITALITY

**PLANNING AND ZONING BOARD STATEMENT OF CONSISTENCY
WITH THE 2019 COMPREHENSIVE PLAN
JUNE 4, 2020 REGULAR MEETING**

**Conditional District Rezoning Request
PC (Public Conservation District) to
PC-CD (Public Conservation – Conditional District)**

Property Location: 10 Azalea Rd.
Parcel ID#’s: 00029674

The Village of Pinehurst Planning and Zoning Board finds that:

The proposed conditional rezoning **IS** consistent with the 2019 Comprehensive Plan:

The proposed rezoning is consistent with the Conservation and Growth Map on page 62 of the 2019 Comprehensive Plan which identifies the area as “Village Core” and that the proposed zoning district of PC-CD is consistent with “Village Core” designation as the base zoning and permitted use will not change. Additionally, the proposed rezoning will help enhance quality of life for Village of Pinehurst by expanding religious services to residents and visitors and preserving the Village’s Character and Authenticity as stated on pages 31, 32 and 45 of the 2019 Comprehensive Plan. Achieving goals in accordance with the Comprehensive Plan and other planning documents of the Village is considered reasonable and in the best interest of the public.

Therefore, the Village of Pinehurst Planning and Zoning Board recommends **APPROVAL** of the conditional rezoning from PC (Public Conservation District) to PC – CD (Public Conservation Conditional District) with conditions.



HISTORY, CHARM, AND SOUTHERN HOSPITALITY_____

This is the _____ day of _____, 20____

Chair of the Planning and Zoning Board

Ruling filed with the Village of Pinehurst:

DATE

Kelly Brown
Clerk to the Planning and Zoning Board

Cc: Darryn Burich
Alex Cameron
Kelly Brown

PLANNING & INSPECTIONS

395 Magnolia Road • Pinehurst, NC 28374 • Telephone (910) 295-2581 • Fax (910) 295-1396 • www.vopnc.org



**PLANNING AND ZONING BOARD
REGULAR MEETING
THURSDAY, JUNE 4, 2020
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:00 PM**

Board Members Present:

Leo Santowasso, Chair
Sonja Rothstein
Cyndie Burnett
Phillip Shumaker
Paul Roberts
Joel Shriberg
Jeramy Hooper
David Alzamora

Board Members Absent:

Julia Latham

Staff Present:

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

I. Call to Order

Mr. Santowasso confirmed a quorum was present and called the meeting to order at 4:00 pm.

II. Approval of Minutes

A. March 5, 2020 Regular Meeting Minutes

Ms. Burnett moved to approve the March 5, 2020 regular meeting minutes. Seconded by Ms. Rothstein. Carried by unanimously vote of 8-0.

III. Public Hearing

A. Public Hearing No. 1

Mr. Hooper moved to recess the public meeting and enter into Public Hearing No. 1. Seconded by Ms. Rothstein. Carried unanimously by a vote of 8-0

Alex Cameron, Senior Planner, stated the purpose of the public hearing was to consider an Official Zoning Map Amendment. This map amendment includes one parcel of land consisting of approximately 4.5 acres further identified as Moore County PID # 00029674 and would zone the property PC-CD (Public Conservation – Conditional District). The property is currently zoned PC (Public Conservation District). The proposed rezoning will allow for the addition of an approximately 7,317 square foot building that will be used primarily for educational use. The applicant and property owner is the Village Chapel Inc. Mr. Cameron provided background on the rezoning request from the staff report. On June 4th, the applicant submitted a revised application package based on staff technical review comments, which was distributed to the Board. This material is located in the docket file at Village Hall.

Pastor John Jacobs, senior pastor of Village Chapel, discussed the church's need for an additional building for educational purposes. The name of the proposed building is Heritage Hall.

Jack Wood, project manager at Village Chapel, discussed how the church arrived at the proposed design and site plan for Heritage Hall. He gave an estimated timeline for the project: Village Council approval by July, site plan approval by October, construction drawings by November, contractor bids by December, selection of a contractor by January, and begin construction in March 2021, with a six-month construction window.

Pete Bogle, applicant and owner/architect at Bogle Firm, discussed the application package and revisions made to the original application. Revisions included:

- Deleting cemetery use as a requested allowable use
- Deleting playground equipment as an accessory use. They are not proposing permanent playground structures
- Requesting an impervious surface limit increase of 33%, instead of 35%. The change was based on staff technical review comments that 35% seemed a little large based on proposed expansion area of almost 11,000 square feet
- Adding a landscape buffer to Village Green East
- Adding sight triangles placed along pavement edge & existing tree noted to be trimmed up to required clearance height
- Showing public sewer lines with easements, existing and proposed fire hydrants, proposed new fire line, and survey metes and bounds

Mr. Bogle stated they are requesting conditional district rezoning to “produce a customized zoning district that adjusts the current base zone to become more fitting to the owner’s intent and to the public’s expectations for the use of that site.” He discussed fencing material options for the play area. He stated the Village Chapel had no interest in a daily preschool. They are requesting to waive the requirement for sidewalks because they are not fitting and out of character for the historic area. Mr. Bogle and the Board discussed the use of sand paths.

Brian Welborn of Neal Smith Engineering stated the submitted trip generation was not generated from a traffic study. Mr. Santowasso expressed the need for peak hour traffic and special event traffic numbers.

Ralph Newman, community liaison for the Village Chapel, discussed the neighborhood meeting held on April 2, 2020.

John Hoffman of Pinehurst provided public comment not in support of the proposal.

Pope Dylan provided public comment in support of the proposal.

Mr. Santowasso discussed imposing a condition to require one-for-one plantings to replace the predicted removal of 47 trees.

Mr. Wood stated the PDO would only require the church to install sidewalks along the proposed site and they would not terminate anywhere. He stated installing more landscaping than required would be an expense. Mr. Bogle stated the church was amenable to adding sidewalks.

Ashley Smith, associate pastor of the Village Chapel, provided public comment in support of the Heritage Hall proposal.

Nancy Smith of Pinehurst provided public comment on sidewalks and storm water runoff.

Motion: Mr. Shriberg moved to close the public hearing and return to the regular meeting. Seconded by Ms. Burnett. Carried unanimously by a vote of 8-0.

The Board discussed potential conditions related to the approval of the conditional rezoning: installation of sidewalks, landscaping around the play area, and one-for-one tree replacement.

Mr. Hooper moved that the Planning & Zoning Board recommend approval to the Pinehurst Village Council of the proposed zoning map amendment as submitted by the applicant, with the following conditions:

1. One-for-one replacement of each tree removed
2. Landscape buffer around playground area

Seconded by Mr. Shumaker. Carried unanimously by a vote of 8-0.

Roll Call

Mr. Roberts	Aye
Ms. Rothstein	Aye
Mr. Alzamora	Aye
Mr. Hooper	Aye
Ms. Burnett	Aye
Mr. Shriberg	Aye
Mr. Shumaker	Aye
Mr. Santowasso	Aye

IV. New Business

A. Draft Changes to PDO to Implement Electronic Permitting

The Board moved the discussion on the draft changes to the PDO to the July meeting agenda.

V. Next Meeting Date

A. Regular Meeting on July 2, 2020

VI. Motion to Adjourn

Ms. Burnett moved to adjourn the regular meeting. Seconded by Ms. Rothstein. Carried by a vote of 8-0 at 7:08 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.

DRAFT



HISTORY, CHARM, AND SOUTHERN HOSPITALITY_____

**PLANNING AND ZONING BOARD STATEMENT OF CONSISTENCY
WITH THE 2019 COMPREHENSIVE PLAN
JUNE 4, 2020 REGULAR MEETING**

**Conditional District Rezoning Request
PC (Public Conservation District) to
PC-CD (Public Conservation – Conditional District)**

Property Location: 10 Azalea Rd.
Parcel ID#’s: 00029674

The Village of Pinehurst Planning and Zoning Board finds that:

The proposed conditional rezoning **IS** consistent with the 2019 Comprehensive Plan:

The proposed rezoning is consistent with the Conservation and Growth Map on page 62 of the 2019 Comprehensive Plan which identifies the area as “Village Core” and that the proposed zoning district of PC-CD is consistent with “Village Core” designation as the base zoning and permitted use will not change. Additionally, the proposed rezoning will help enhance quality of life for Village of Pinehurst by expanding religious services to residents and visitors and preserving the Village’s Character and Authenticity as stated on pages 31, 32 and 45 of the 2019 Comprehensive Plan. Achieving goals in accordance with the Comprehensive Plan and other planning documents of the Village is considered reasonable and in the best interest of the public.

Therefore, the Village of Pinehurst Planning and Zoning Board recommends **APPROVAL** of the conditional rezoning from PC (Public Conservation District) to PC – CD (Public Conservation Conditional District) with conditions.



HISTORY, CHARM, AND SOUTHERN HOSPITALITY_____

This is the 4th day of June, 2020

Leo Stutman

Chair of the Planning and Zoning Board

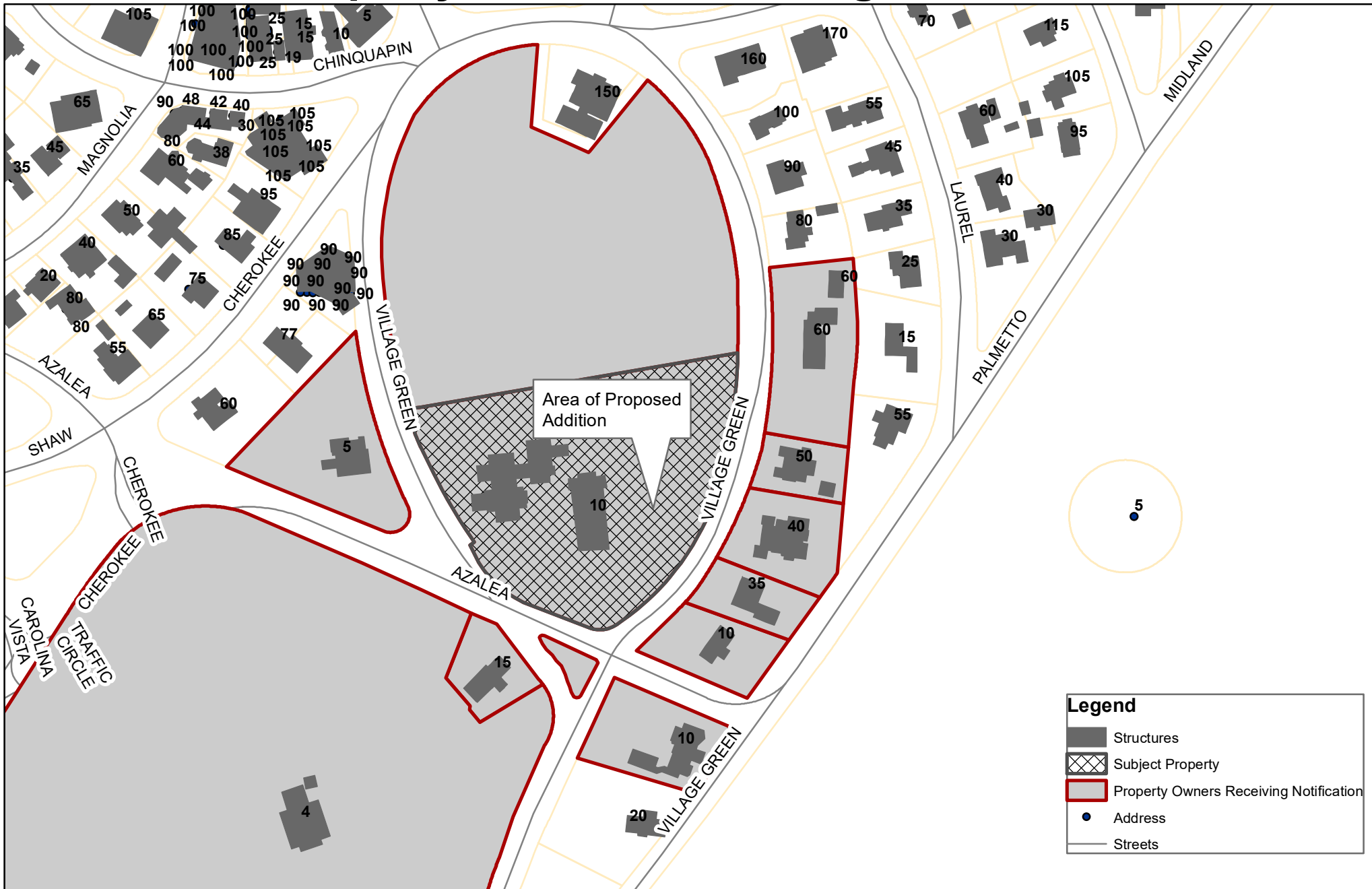
Ruling filed with the Village of Pinehurst:

June 8th, 2020
DATE

Kelly Brown
Kelly Brown
Clerk to the Planning and Zoning Board

Cc: Darryn Burich
Alex Cameron
Kelly Brown

Property Owners Receiving Notification



0 70 140 280 420 560 Feet

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July 14, 2020
Village Council

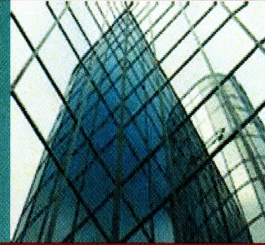
Conditional District Rezoning Public Hearing





Neal Smith Engineering, Inc.

139 Pinehurst Avenue – Suite C
Southern Pines, NC 28387
Phone: (910) 695-8825
Fax: (910) 695-8832
www.nseengineering.com
Firm License No. C-1425



May 20, 2020

Pete Bogle
The Bogle Firm Architecture
100 W. Innes St. Suite 200A
Salisbury, NC 28144

Subject: Trip Generation
Village Chapel 7,317 SF Heritage Hall
Pinehurst, North Carolina
NSE Project #2000550

Dear Mr. Bogle:

NSE has determined the following anticipated trip generation for the above-mentioned project.

ITE Code: 560 Church

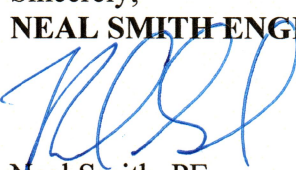
1st Floor Usable Space = 4602 ft²
2nd Floor Usable Space = 2082 ft²
Total = 6.7 KSF

Weekday 9.11 per KSF
Total Generated Trips: 62

Peak (Sunday) 27.63 per KSF
Total Generated Trips: 186

The trip generations were based on ITE rates and not a traffic study. Thank you for this opportunity to serve you. Please contact Neal Smith Engineering, Inc. for any further information.

Sincerely,
NEAL SMITH ENGINEERING, INC.


Neal Smith, PE
President



HYDRANT FLOW TEST REPORT

LOCATION: Village Chapel

DATE: 5/15/2020

TIME: _____

TEST MADE BY: CF & JL

REPRESENTATIVE OF: MOORE COUNTY PUBLIC UTILITIES

WITNESS: N/A

PURPOSE OF TEST: Fire Flow

CONSUMPTION RATE DURING TEST: N/A GPM

IF PUMPS AFFECT TEST, INDICATE PUMPS OPERATING:

FLOW HYDRANT #s	A ¹	A ²	A ³
	<u>2-56</u>		
SIZE NOZZLE:	<u>2 1/2</u>	<u>IN</u>	
PITOT READING:	<u>30</u>	<u>PSI</u>	
TOTAL GPM:	<u>920</u>	<u>GPM</u>	

RESIDUAL HYDRANT #	<u>2-51</u>	
STATIC _B	<u>45</u>	<u>PSI</u>
RESIDUAL _B	<u>39</u>	<u>PSI</u>

PROJECTED RESULTS AT 20 PSI RESIDUAL 1988 GPM

REMARKS: Cannon Park at 33.5'

LEGAL NOTICE
NOTICE OF PUBLIC MEETING
VILLAGE OF PINEHURST

NOTICE IS HEREBY GIVEN that a Meeting will be held by the Pinehurst Village Council at 4:30 p.m. on Tuesday July 14, 2020, at Village Hall, 395 Magnolia Rd., Pinehurst, North Carolina, for the following requests:

Public Hearing:

1. The purpose of the public hearing is to consider an Official Zoning Map Amendment. This map amendment includes one parcel of land consisting of approximately 4.5 acres further identified as Moore County PID # 00029674 and would zone the property PC-CD (Public Conservation – Conditional District). The property is currently zoned PC (Public Conservation District). The proposed rezoning will allow for the addition of a 7,317 square foot Education building and associate site features. The applicant and property owner is the Village Chapel Inc.

Additional information on the above item 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.

PLEASE PUBLISH IN THE PILOT ON:
Wednesday July 1, 2020 and Wednesday July 8, 2020



Planning and Zoning Board Regular Meeting June 4, 2020

I. Call to Order

II. Approval of Minutes

A. March 5, 2020 Minutes

III. Public Hearing

A. Public Hearing No. 1

IV. New Business

A. Draft Changes to PDO to Implement Electronic Permitting

V. Next Meeting Date

A. July 2, 2020

VI. Motion to Adjourn





Public Hearing No. 1

- I. Official Zoning Map Amendment for the 4.5 acre property addressed as 10 Azalea Rd., PID# 00029674 owned by The Village Chapel
 - Current Zoning PC (Public Conservation District)
 - Proposed Zoning PC-CD (Public Conservation – Conditional District)
 - Would allow for the development of 7,197 square foot Christian education building on the Village Chapel campus with associated features such as parking, drive access, walkways and playground.
 - The proposed amendment would not change the base zoning but would create a conditional district overlay.
 - The public hearing was duly posted, adjacent owners notified, and hearing published.





Conditional Zoning

- Certain types of zoning districts would be inappropriate at certain locations in the absence of special conditions. Conditional Zoning Districts are a voluntary alternative.
- Typically, additional requirements or standards are placed on the property with Conditional District Zoning. However, the applicant may request some variations from specific standards in the development ordinance.
- A General Concept Plan is required with the application and if approved or adopted the plan then becomes a site-specific conditional zoning plan.





Included with the Rezoning Application:

- Application for a Conditional Rezoning
- Project narrative w/ General Concept Plan, elevations, renderings & floor plans
- Neighborhood meeting summary
- Trip generation
- Hydrant flow test
- ISO calculations
- Biological Assessment for Red-Cockaded Woodpecker impacts from USFW





Request Background

- Main goal for the request is to allow for a higher maximum coverage of impervious surface on the lot.
 - Existing impervious = 22.5%
 - Maximum allowed in PC District = 12%
 - Impervious as shown with this proposal = +/- 29.6%
 - If the 35% request is approved, +/- 5.4% or 10,624 square feet of impervious surface left for future improvements
- The applicant has since revised the proposal to allow for a maximum impervious coverage of 33%.
 - If the 33% request is approved, +/- 3.4% or 6,690 square feet of impervious surface left for future improvements





Applicant's Requested Conditions

	Type	Requested Condition	PDO Requirement	PDO Section No.
1	Maximum impervious coverage	35% 33% - revised 6/4/2020	12% (22.3% existing)	9.2a
2	Installation of sidewalks along existing street frontage	Not be required	Required	9.16.1.8(a) (4)
3	Allowable Uses and SR's (Special Requirements)	Limit to: Religious Institution (waive SR-18) Parking Lot Playgrounds with SR-107 Cemetery with SR-101 – removed as of 6/4/2020 Concealed Wireless with SR-103 Accessory Buildings with SR-108 Accessory Structures with SR-110 All Temporary Uses with all SR's	All uses allowed per Table 8.5 with applicable SR's and all Temporary Uses	8.5, 8.6, 8.7 & 8.8





Adjacent Land Uses and Zoning

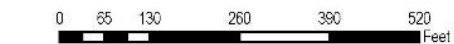
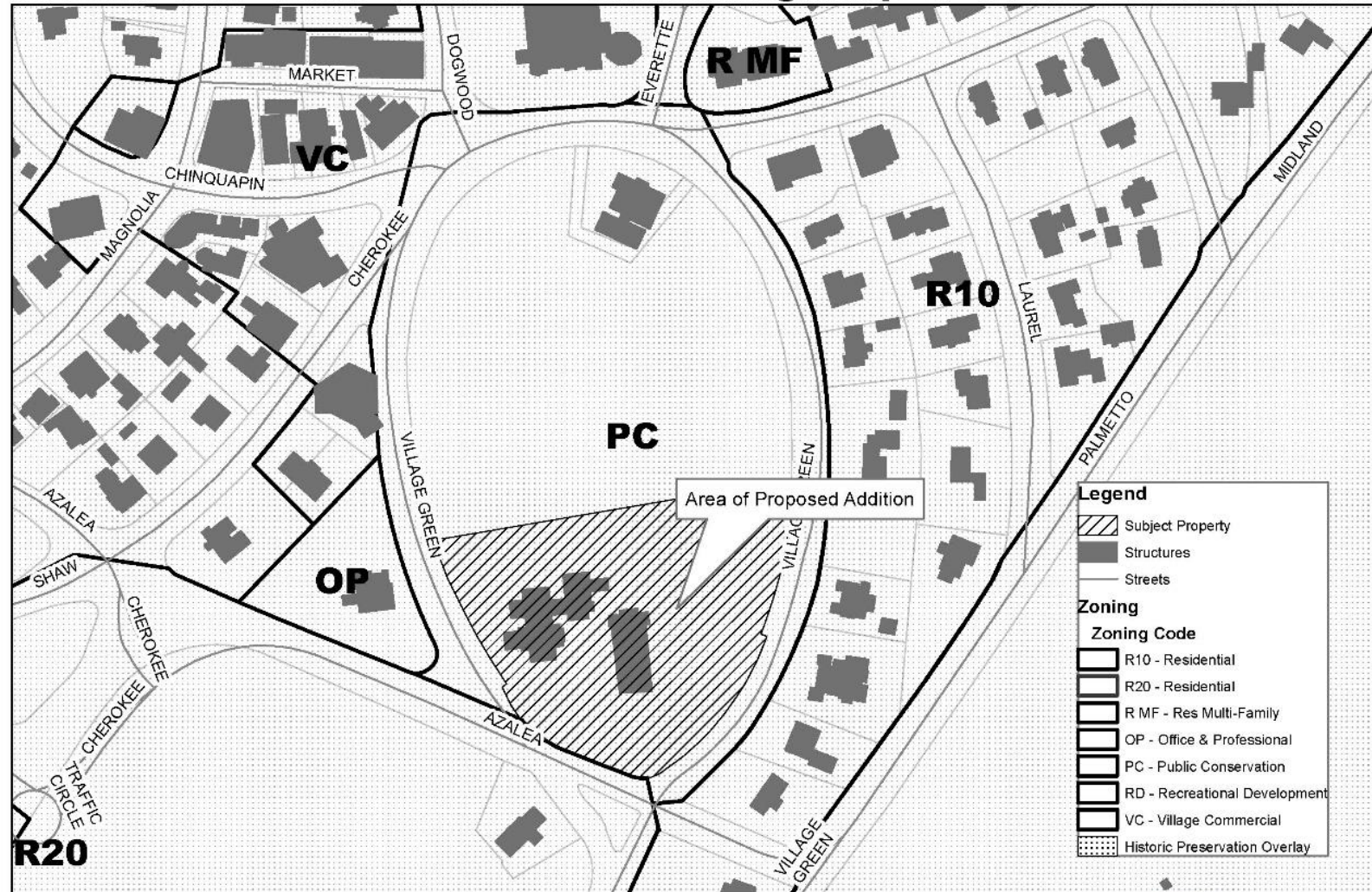
- Surrounding properties contain multiple zoning designations and land uses

Adjacent Land Uses and Zoning		
Area	Existing Uses	Zoning
North	Government – Public/Recreational (Village Green)	PC and LHD (Local Historic Preservation Overlay)
South	Single Family Residential, Sandhills Women’s Exchange and Pinehurst Resort Clubhouse, Tennis and Pool Facility	R-10 , RD and LHD
East	Single Family Residential	R10 and LHD
West	Bank and Pinehurst Resort Clubhouse, Tennis and Pool Facility	OP, RD and LHD
Comprehensive Plan Land Use Designation		
Parcel ID # 00029674	Non-Residential “Village Core”	





Area Zoning Map



Map is for informational purposes only. It is not intended to be used for legal or financial purposes. The data is provided as a service to the public and is not guaranteed. The data is provided as a service to the public and is not guaranteed. The data is provided as a service to the public and is not guaranteed.

June 4, 2020

Planning and Zoning Board
Public Hearing for Conditional Rezoning





1895
VILLAGE OF
PINEHURST





CONDITIONAL
DISTRICT
SITE PLAN
GENERAL CONCEPT PLAN
IMPROVEMENTS

REVISED 6.3.2016

THE FOLLOWING REVISIONS WERE MADE TO THE DOCUMENT IN ORDER TO IMPROVE THE QUALITY OF THE DOCUMENT:

- THE DOCUMENT WAS REVISED TO BE MORE ACCURATE AND TO BE MORE EASY TO READ
- THE DOCUMENT WAS REVISED TO BE MORE ACCURATE AND TO BE MORE EASY TO READ

[illegible][illegible]

MINIMUM ALLOWABLE PER NCFC = 1,500 GPM

HERITAGE HALL THE VILLAGE CHAPEL 1014 W. 1ST, N.C.	
DRAWING BY: 1008 CHECKED BY: DR2 DATE: 5.5.20 PROJECT # 401	SHEET # 1 OF 2 CD2 OF: 2





Proposed Use and Building

- 7,197 square foot “Heritage Hall” is intended for educational purposes of The Village Chapel
- The applicant proposed to limit the allowed uses for the property as listed in the proposed conditions
- 1.5 stories and approximately 33 feet tall
- Exterior features and materials will match as close as possible to the existing structures on the site
- No connections to the sanctuary
- Proposed playground on the east (right) side of the building
- The Historic Preservation Commission (HPC) has issued a Certificate of Appropriateness (COA) for the proposed construction

Allowable Uses and SR's (Special Requirements)

Limit to:

Religious Institution (waive SR-18)

Parking Lot

Playgrounds (with SR-107)

**Cemetery (with SR-101)*

****(Removed as an allowed use 6/4/2020)***

Concealed Wireless (with SR-103)

Accessory Buildings (with SR-108)

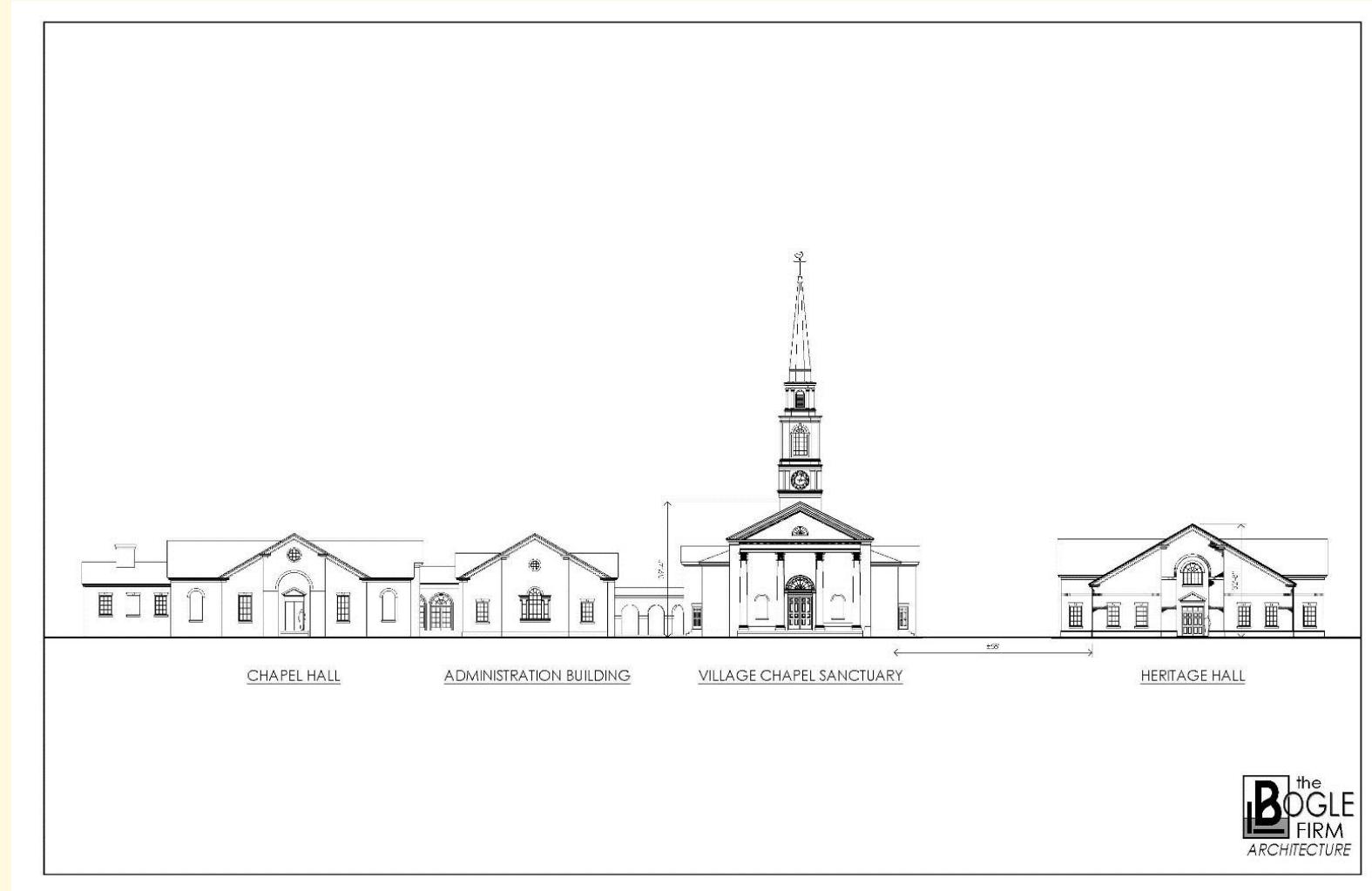
Accessory Structures (with SR-110)

All Temporary Uses (with all applicable SR's)



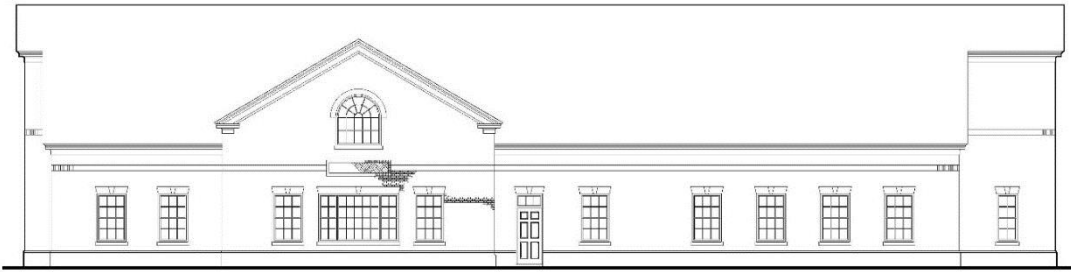


Front Building Elevation

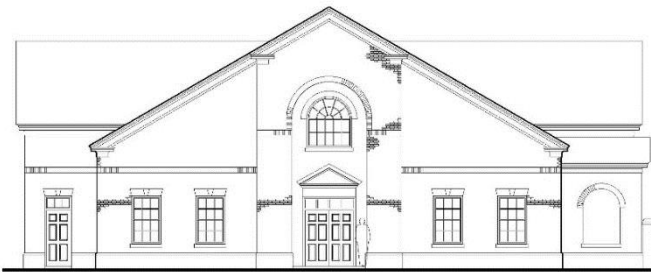




Building Elevations



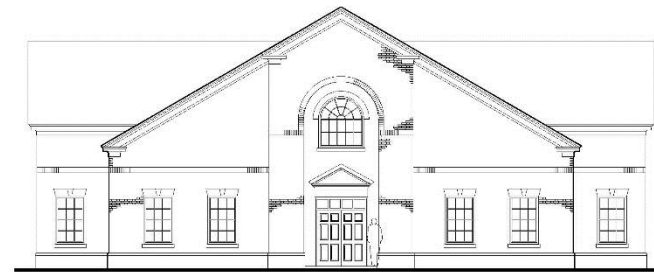
EAST ELEVATION 5.5.20



NORTH ELEVATION 5.5.20



WEST ELEVATION 5.5.20



SOUTH ELEVATION 5.5.20



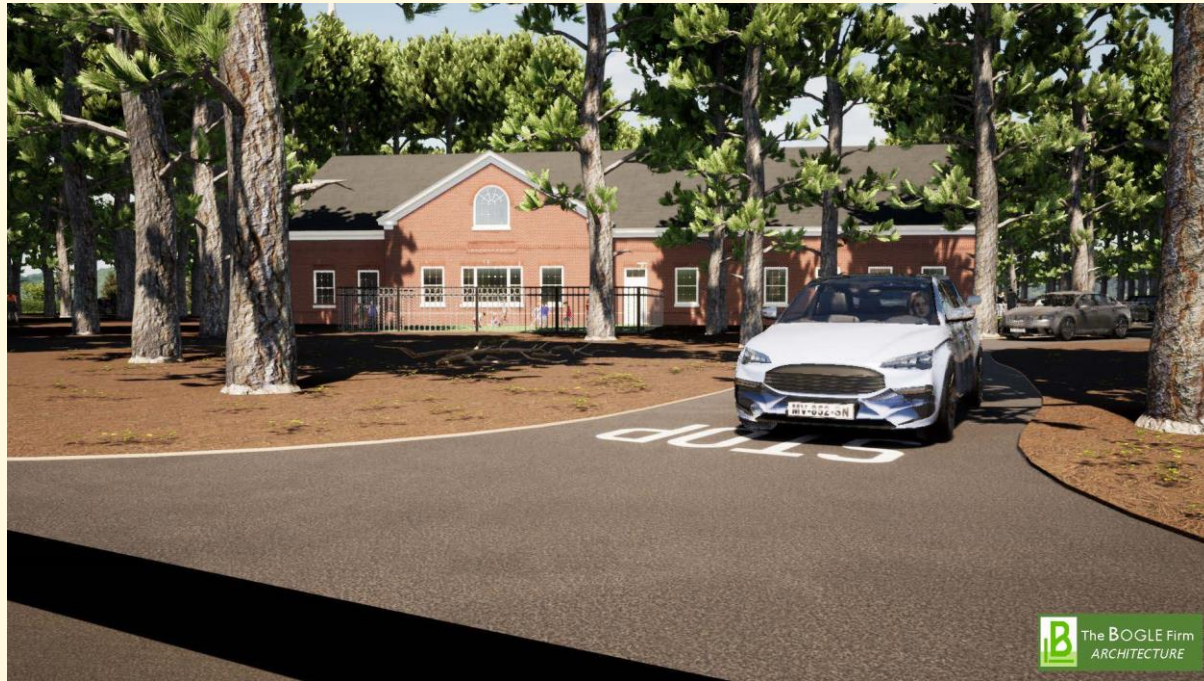


Renderings





Renderings





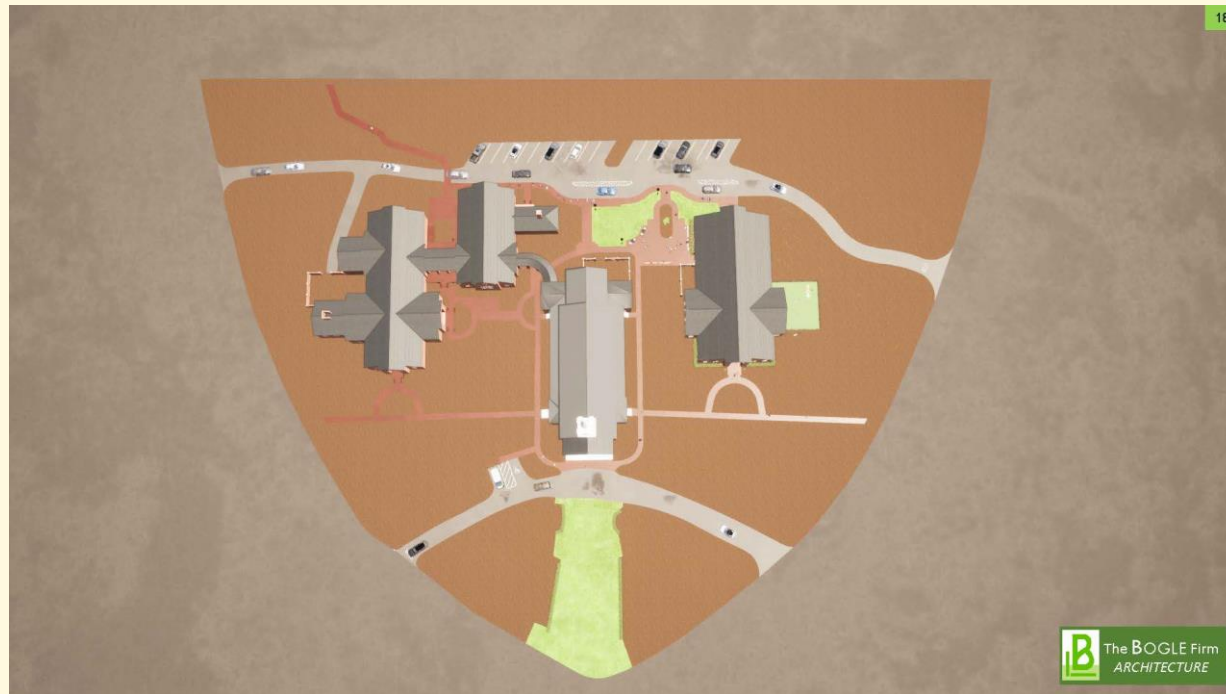
Site Features

- A redesigned access is proposed and remains a one-way flow with an entrance off Village Green Rd. W and a new exit off Village Green Rd E just north of the existing exit.
- New parking spaces provided netting 5 additional spaces.
- New internal brick paver sidewalks are proposed across the property.
- Applicant is seeking a condition to not install sidewalks



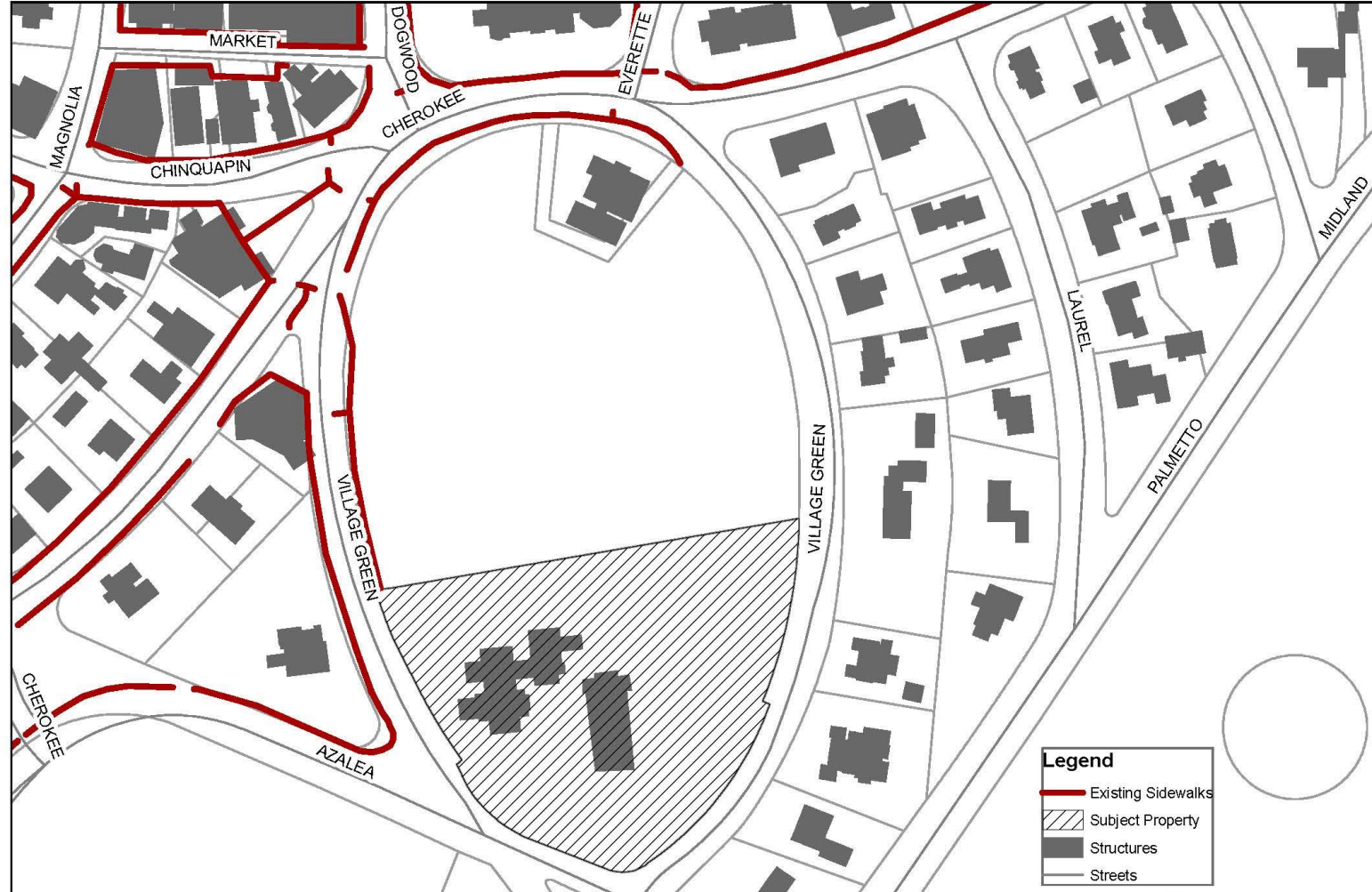


Site Renderings





Existing Sidewalks



0 55 110 220 330 440 Feet

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 guarantee. 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 reuse of this data is strictly prohibited in accordance with North Carolina General Statutes 132-10. Quid is based on North Carolina State Plane Coordinate System NAD83 (feet). PineHurstMap for Google.mxd 6/2/2020

June 4, 2020

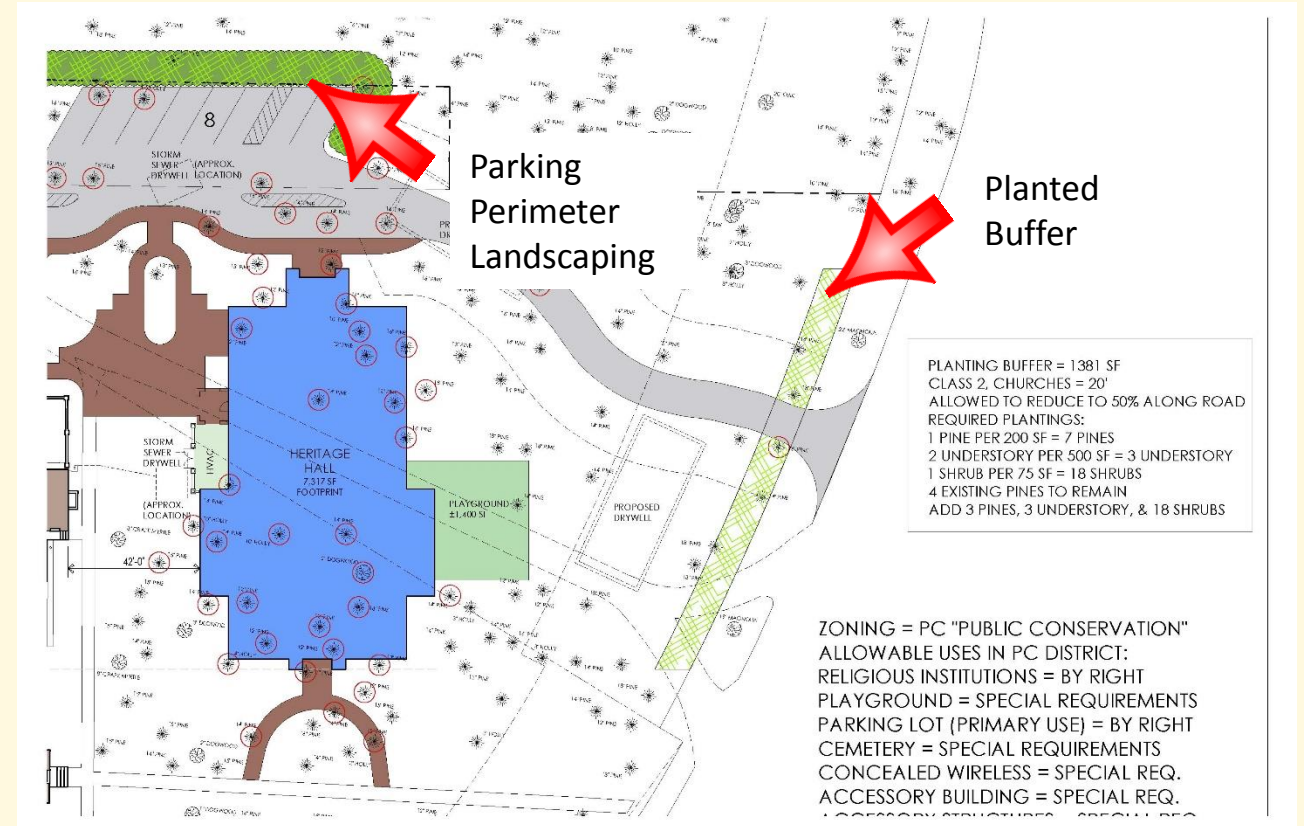
Planning and Zoning Board
Public Hearing for Conditional Rezoning





Landscaping

- A 10' planted buffer required along the east of the property.
 - Plantings will include longleaf pines, understory trees and shrubs
- Parking area will require perimeter plantings
- Recent survey shows approximately 430 trees on the site
 - This proposal indicates 47 trees (40 pines) would need to be removed





Aerial Rendering of Proposal with Tree Canopy





Environmental Impacts

- No floodplains or wetlands
- No impacts for red-cockaded woodpeckers (letter issued from the USFW)
- Located within the WS-II Watershed Protection District
 - Proposed built-upon area does not exceed 12% (+/- 7.3%)
 - No Special Intensity Allocation (SIA) needed for this proposal
- Drywells are proposed to manage post-development stormwater and are depicted on the General Concept Plan





Staff Technical Review

- The Technical Review Committee (TRC) has reviewed the application and General Concept Plan and have issued comments to the applicant. Most of the comments can will need to be addressed at the construction document phase of the project. The TRC is comfortable with the General Concept Plan moving forward to review and consideration of the Planning and Zoning Board.





Planning and Zoning Board Action

- After holding the public hearing the Board should take the following actions:
 - Must adopt a statement of consistency with the Comprehensive Plan
 - Recommend approval or denial of the proposed map amendment to Village Council
 - Continue the public hearing
- The Board can ask to impose more restrictive conditions that are mutually agreed upon by the Board and applicant





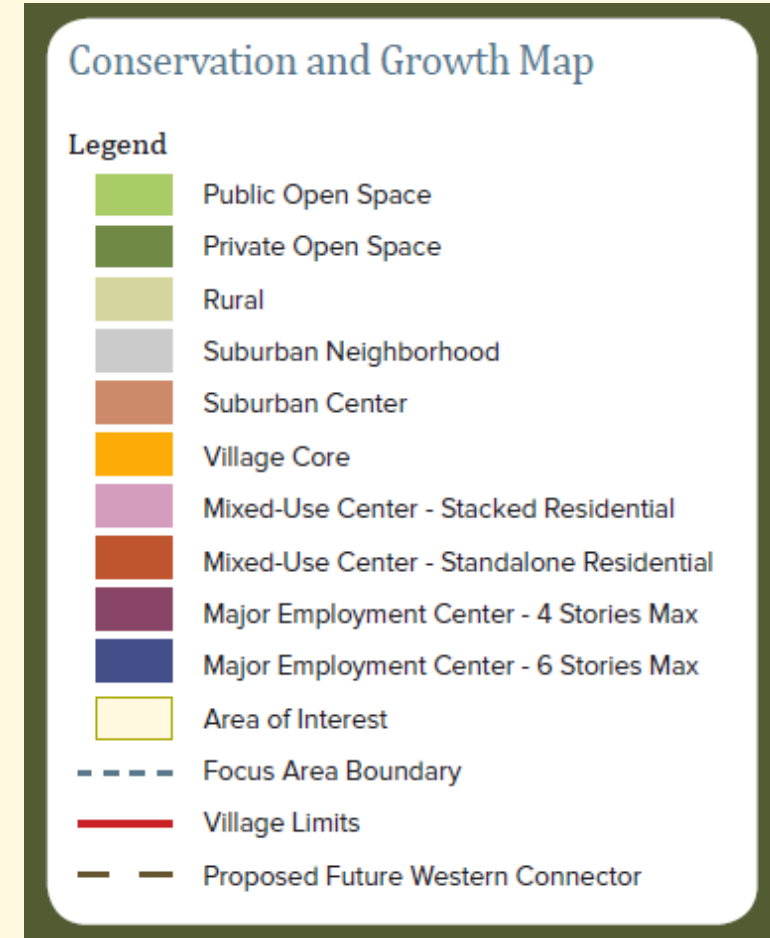
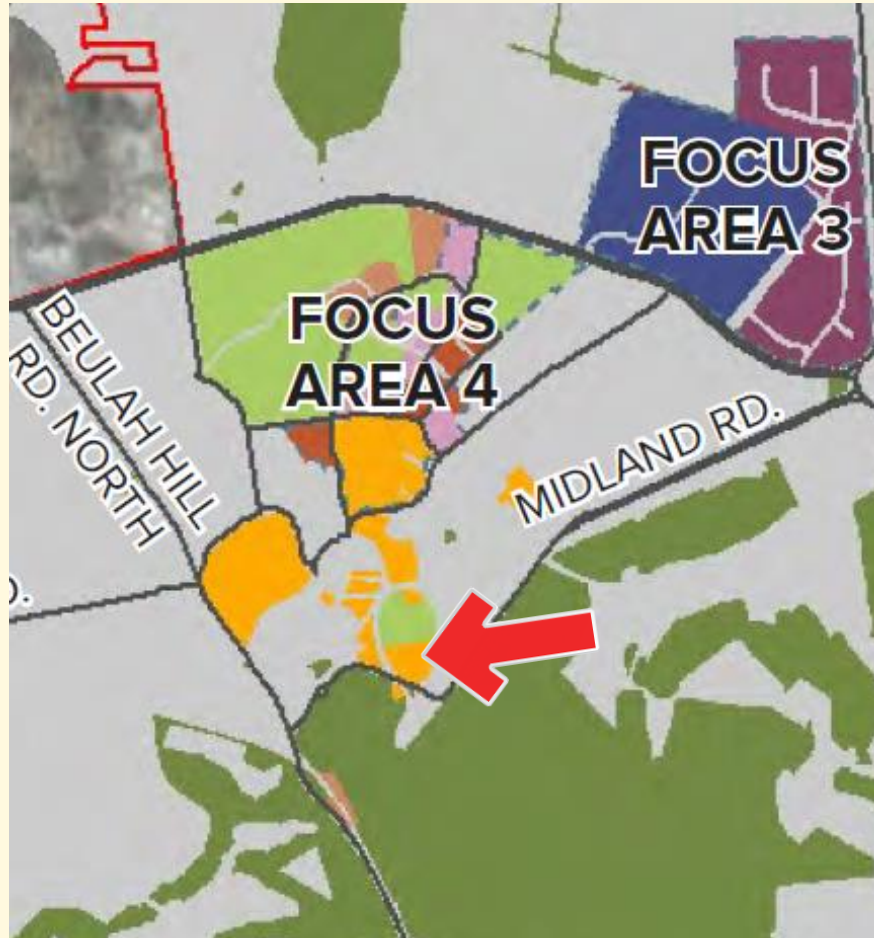
2019 Comprehensive Plan Consistency

- The proposed zoning district is consistent with the recommended land use for the subject area as identified on the Conservation and Growth Map on page 62 of the 2019 Comprehensive Plan which identifies the area as “Village Core”. Due to the fact that the base zoning and proposed use is not changing with this request.
- Page 32 identifies means that the Village can maintain and enhance quality of life including preserving the historic character of the Village Center, expanding arts, culture and entertainment in Pinehurst and adapting to change as residents become more diverse in age, interests and backgrounds and as their needs are expected to change as the composition of the community changes. This request would allow the church to expand services to a growing community and could help enhance the quality of life for residents and visitors.





2019 Comprehensive Plan Consistency





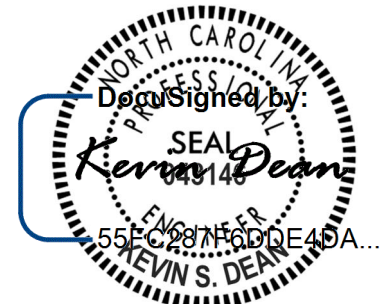
Staff Recommendation

- Staff recommends approval of the conditional zoning request as submitted and recommends the Planning and Zoning Board adopt the statement of consistency with the 2019 Comprehensive Plan included in the Board's packet.



July 9, 2020

The Village Chapel
c/o Jack Wood, Chairman of Buildings and Grounds
10 Azalea Road
Pinehurst, NC 28374



RE: Village Chapel Expansion – Trip Generation Analysis – Pinehurst, NC

7/9/2020

Kimley-Horn has prepared an analysis of the trip generation potential of the proposed expansion of the Village Chapel located north of Azalea Road at Village Green Road in Pinehurst, NC. This expansion proposes the construction of a new 10,435 SF building on-site to accommodate additional church classrooms and storage area. This expansion is anticipated to serve as an extension of existing church operations but is not intended to expand seating for the existing sanctuary or to accommodate higher traffic-generating weekday operations (such as a daycare or school).

Existing Conditions

There are currently three buildings on site: the Village Chapel sanctuary, the “Chapel Hall” (a fellowship hall also being used for children’s Sunday School classes), and the church offices. It is our understanding that adult Sunday School classes are currently held at a separate facility off-site, which requires parents to drop-off children on-site and then leave the site for their own classes (and return later for worship services and to pick up children). While Village Chapel organizes or hosts some other events during the week and on weekends, those uses/events do not generate significant traffic volumes and do not occur during the peak traffic times of the adjacent street(s).

Proposed Conditions

As envisioned, the proposed building would provide space for relocated children’s classrooms and storage space. With the proposed new classroom space provided for children’s rooms, off-site adult Sunday School classes are planned to be moved into the Chapel Hall. No other significant changes to Sunday programming are proposed as part of this expansion, and no increases to sanctuary seating capacity are proposed with this expansion.

Weekend Trip Generation Calculations

Sanctuary seating capacity is typically the appropriate independent variable to consider when assessing weekend trip generation for religious institutions. The Institute of Transportation Engineers *Trip Generation Manual* (10th Edition, 2017) indicates that the “church” land use (land use code 560) is a religious institution that include “an assembly hall or sanctuary [and] meeting rooms, classrooms, and occasionally, dining, catering, or party facilities.” Based on that definition, Sunday school classrooms and meeting rooms do not change the nature of the use already on-site. As this proposed expansion will not increase the seating capacity in the primary assembly (the sanctuary), no increase in trip generation is expected on weekends associated with this expansion.

Furthermore, adult Sunday School classes are proposed to be moved on-site, thereby eliminating the need for attendees to regularly make multiple trips for child drop-off/pick-up and worship service attendance. As a result, actual site-generated trips should decrease.

Weekday Trip Generation Calculations

While weekends are the primary trip generation periods for religious uses, weekday AM (7-9am) and PM (4-6pm) peak hours are typically evaluated for uses at which primary site traffic generation occurs on weekdays as those time periods are assumed to coincide with peak periods of adjacent streets. While sanctuary seating capacity is the most appropriate variable for calculating site trip generation for Sunday operations at churches, typical weekday operations are more accurately modeled using building size as the independent variable. For this analysis, weekday site traffic was generated using ITE 10th Edition data for the "church" land use for the proposed 10,435 SF building, with the average rate being used for AM peak hour calculations and regression equations for the PM peak hour calculations, as that approach presents the most-conservative results. Those calculations are summarized in [Table 1](#) below, and detailed trip generation calculations are attached.

Table 1 ITE Trip Generation (Vehicles) - Weekday					
Land Use	Size	AM Peak Hour		PM Peak Hour	
		In	Out	In	Out
Church (LUC 560)	10,435 s.f.	2	1	4	4

Table 1 shows that the expansion is projected to generate 3 new AM peak hour trips and 8 new PM peak hour trips on a typical weekday.

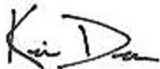
Summary

As the proposed expansion will result in negligible increases in trip generation, this project is not anticipated create traffic congestion in the study area.

Please let me know if you have any questions or require any further information.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

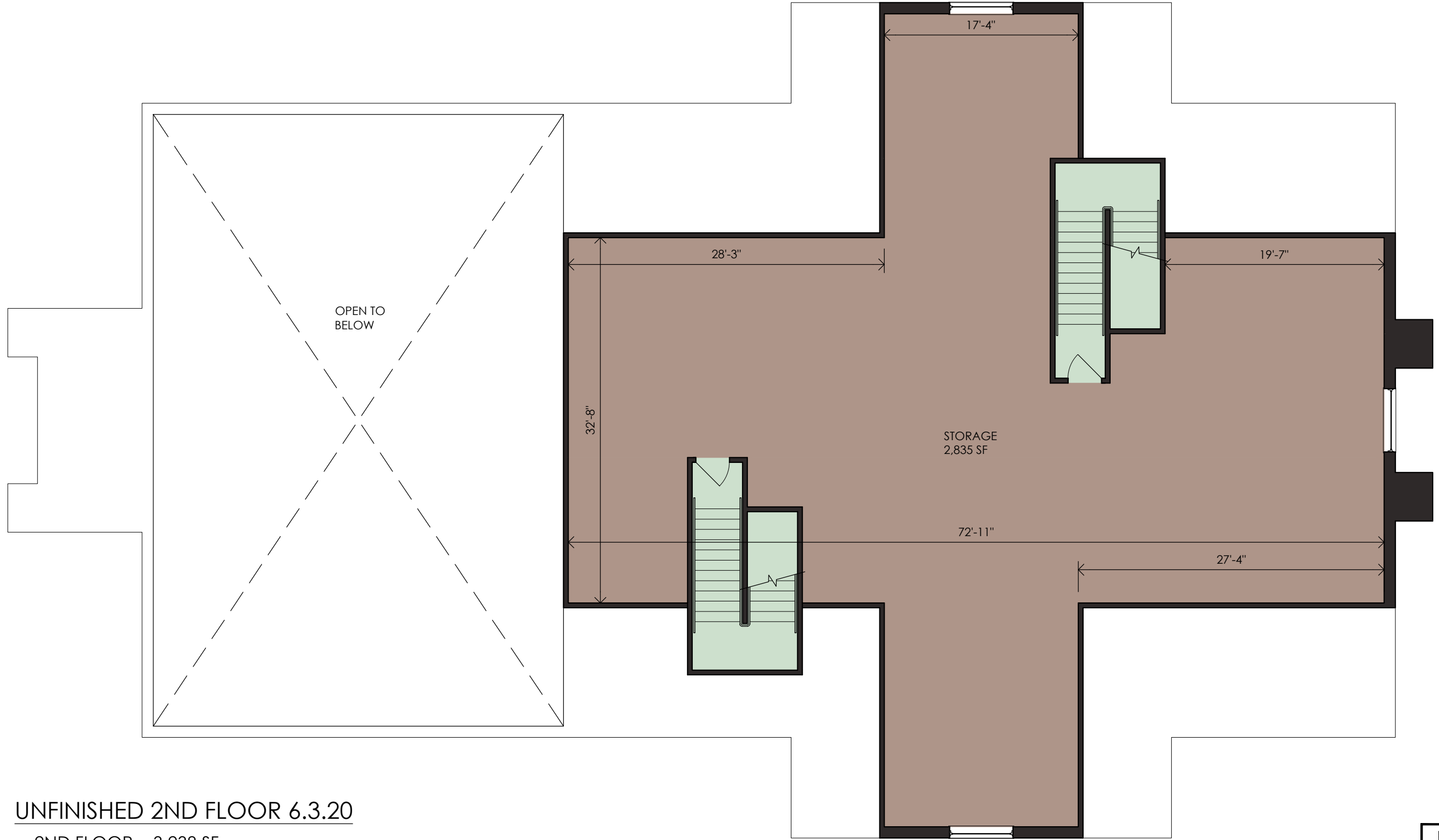


Kevin Dean, P.E.
Project Manager



FIRST FLOOR PLAN 6.3.20

1ST FLOOR = 7,197 SF
FULLY SPRINKLERED
ASSEMBLY SPACE, NURSERY,
5 CLASSROOMS, TOILETS,
STORAGE.



UNFINISHED 2ND FLOOR 6.3.20

2ND FLOOR = 3,238 SF
FULLY SPRINKLERED
STORAGE



FUTURE FINISHED 2ND FLOOR 6.3.20

2ND FLOOR = 3,238 SF
FULLY SPRINKLERED
4 CLASSROOMS, TOILETS,
STORAGE.

Village Chapel Expansion Table 1 - Weekday Trip Generation							
Land Use	Intensity	AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out
560 Church	10,435 s.f.	3	2	1	8	4	4

AM Peak Hour: Total Trips = $0.33 * (SF/1000)$; Entering = 60%, Exiting = 40% - Uses ITE Average Rate to be conservative

PM Peak Hour: Total Trips = $0.37 * (SF/1000) + 3.9$; Entering = 45%, Exiting = 55% - Uses ITE Fitted Equation to be conservative



HISTORY, CHARM, AND SOUTHERN HOSPITALITY

**NOTICE OF PUBLIC HEARING
VILLAGE OF PINEHURST**

Dear Property Owner:

The Pinehurst Village Council will be holding a Public Hearing on:

Tuesday July 14, 2020
4:30 PM

Pinehurst Village Assembly Hall
395 Magnolia Rd. Pinehurst, NC 28374

The purpose of the public hearing is to consider an Official Zoning Map Amendment. This map amendment includes one parcel of land consisting of approximately 4.5 acres further identified as Moore County PID # 00029674 and would zone the property PC-CD (Public Conservation – Conditional District). The property is currently zoned PC (Public Conservation District). The proposed rezoning will allow for the addition of a 7,317 square foot Education building and associate site features. The applicant and property owner is the Village Chapel Inc.

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/>.



PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT

To: Historic Preservation Commission
From: Peter Hughes, Senior Planner
CC: Darryn Burich, Planning and Inspections Director
Kelly Brown, Administrative Specialist
Date: May 20, 2020
Subject: Major COA Request for Village Chapel, 10 Azalea Road (COA-2020-00053)

Applicant:	Pete Bogle
Owners:	Dale and Mary Carey
Professional:	Bogle Architecture
Property Location:	10 Azalea Road (Village Chapel)
Zoning:	Public Conservation (PC)
Current Land Use:	Religious Institution
Proposed Land Use:	Religious Institution
PID#	856209053600

Request and Background:

Pete Bogle of Bogle Architecture is requesting a Major Certificate of Appropriateness, on behalf of the Village Chapel, for construction of a new accessory structure located within the Pinehurst Historic District at 10 Azalea Road. The property can be further identified in the Moore County Tax Registry by Moore County PIN Number # 856205079778.

The Village Chapel is a historic structure and is very much a part of Pinehurst's rich history. The church was first established in 1898 by James Walker Tufts, when he invited his friend Dr. Hale to be the first minister of the church and serve the Pinehurst community. The construction of the main chapel building was completed in 1925. Since 1925, the Village Complex has expanded to include administration offices (dedicated 1961) and a chapel hall (dedicated in 1991).

Village Chapel has received two previous Major COAs. In 2009, Village Chapel was issued a Major COA to replace the top 34 feet of the existing chapel steeple with composite materials to match the existing style. In 2010, a Major COA was issued for the construction of a new 16,000 square foot learning center. The 2010 COA expired when no work was performed. Village Chapel has also received six additional minor COAs for the removal of five trees (2011), addition of a wood louver (2012), outdoor lighting (2012), brick sidewalk (2013), a paved driveway (2013), and repairs to the roof (2017).

The Village Chapel (10 Azalea Road) is located in the heart of the Historic District, directly adjacent to the Village Green and is listed as a contributing structure within the National Historic Landmark Survey. All of the adjacent properties within the public hearing notification area are all listed as contributing structures. The tables and map on the following pages indicate which, adjacent properties were notified and each property's National Historic Landmark survey Status.

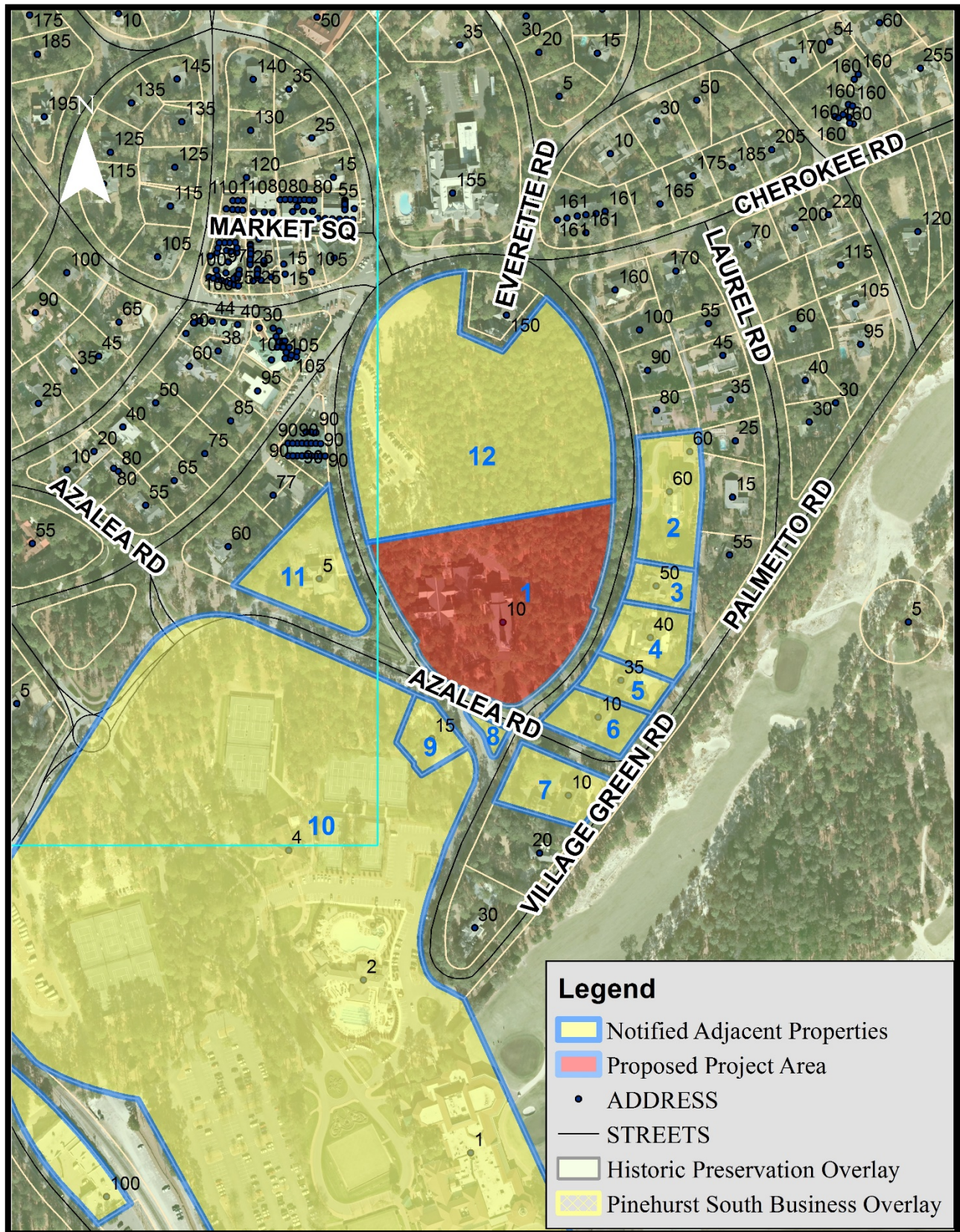
National Historic Landmark Survey Table for COA 2020-00053				
#*	Address	Year Built	Contributing	Structure History
1	10 Azalea	1924	Yes	Vacant Land not listed in the National Historic Landmark Survey
2	60 Village Green	1911	Yes	In 1913 Mr. Fownes bought 3 lots on which he would erect a vast, rambling house, one of the largest in Pinehurst. The two-story dwelling is shingle-clad and has a hipped roof with shaped rafter ends, hipped dormers, multiple chimneys, and several porches, including a classical entrance porch. Mr. Fownes was the founder and long-time president of the Oakmont Country Club
3	50 Village Green	1920	No	It is a one-and-a-half-story frame dwelling with a gable roof, a shed wall dormer, and a central hooded entrance bay flanked by one-story front ells with gable-end chimneys facing the road.
4	40 Village Green	1916	Yes	Whispering Pines was built by Dr. J. S. Brown. It is an expansive one-story shingle-clad frame house with a central pyramidal roof with widely overhanging eaves, a recessed front porch, and secondary pyramidal-roofed blocks with chimneys at each corner.
5	35 Village Green	1996	No	Not listed in the National Historic Landmark Survey
6	10 Village Green East	1920	Yes	The Casements was built by Mrs. Dorothy Campbell Hurd from the design of a shooting lodge in England. It is an eccentric two-story frame house with a tower at the center of the facade next to the Tudor-arched entrance. Each room has either a row of windows or a bay window. At the south gable end is a rock chimney.
7	10 Village Green	1920s	Yes	This one-and-a-half-story frame stuccoed house has a steep gable roof, gable-end chimneys, multiple dormers, and a one-story rear ell.
8	Vacant Land	NA	NA	Not listed in the National Historic Landmark Survey.

National Historic Landmark Survey Table for COA 2020-00053

#*	Address	Year Built	Contributing	Structure History
9	15 Azalea	Early 19 th C.E.	No	In 1895 James Walker Tufts was charmed by the cabin and built a new kitchen for the McKenzie family in exchange for it. Though several log additions were made in subsequent years, the original log cabin remained at the forefront. It was moved piece-by-piece to Pinehurst and placed in the Pine Grove. For some years thereafter the cabin served as a tiny museum for the village and exhibited miscellaneous early tools and equipment. As time went on, however, and golf became more popular, the museum was rarely visited, and eventually it closed. In 1923 it was offered free of rent to the directors of the Women's Exchange for their shop.
10	2 Carolina Vista	1922	No	Although large additions from recent years--including the octagonal pro shop and the Members' Club wing--have doubled the size of the clubhouse, its 1922 Mediterranean-style character is still dominant. This is a one- and two-story structure with a variety of roof types, rough concrete finishes, and terraced porches flanked by Tuscan columns which provide sweeping views of the golf courses. Bronze statues of Donald Ross and Richard Sise Tufts stand east of the clubhouse near the 18th hole of the Number 2 course.
11	5 Village Green West	1905	Yes	This was the first lot in Pinehurst that Leonard Tufts sold to a private owner, and the house which W. C. Peet of New York built on the lot was the first privately owned residence. The house looks today much as it did when it was built, although it now serves as a branch of NationsBank. It is a two-story house sheathed in a combination of drop siding and wood shingles, with a hipped roof, widely overhanging bracketed eaves, and a wrap-around porch with Tuscan columns and a plain balustrade.
12	Village Green	1895	Yes	The Village Green was part of the original Olmsted, Olmsted and Eliot design for Pinehurst. It is an egg-shaped piece of land in the center of the village filled with tall pines, interspersed hollies, and dogwoods. The floor is carpeted in pine needles, and sand walks lead through the green.

*The numbers refer to the location of each property on the following notification map

Notification Map for COA 2020-00053: Village Chapel (10 Azalea Road)

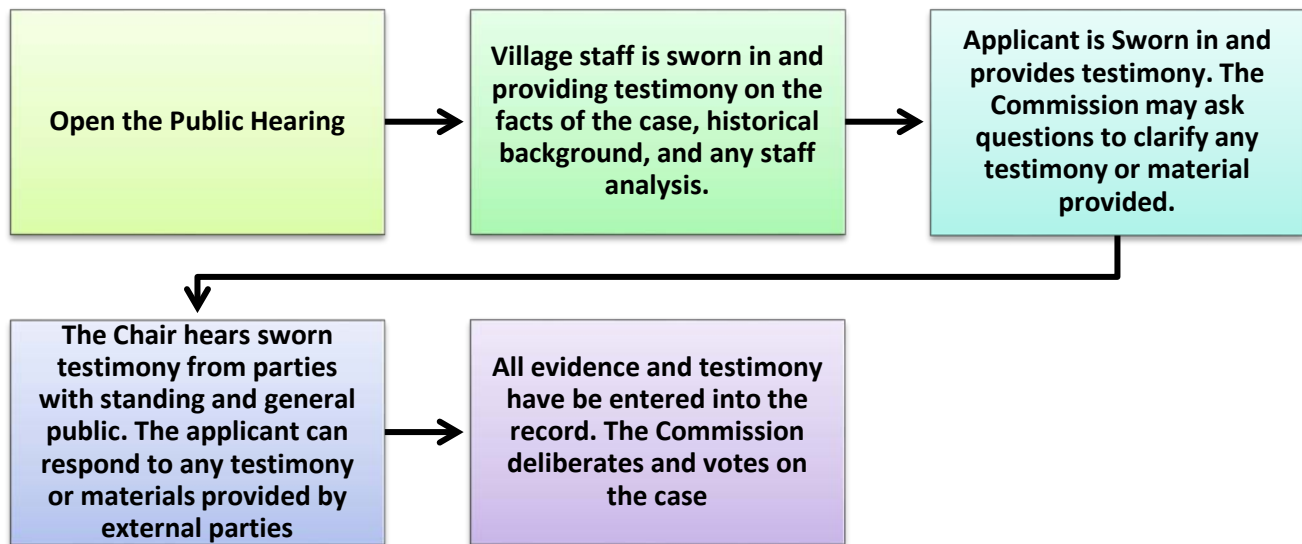


Evidentiary Hearing Process:

The purpose of an evidentiary hearing is to gather factual evidence, not hearsay or public opinion about the popularity of the proposed project.

The hearing will begin with a staff presentation of the case, which explains ordinance requirements, the application, any information on file about the property (previous COAs issued), and any staff analysis that has been made. Following staff's presentation, the applicant will be asked by the Commission to provide additional testimony. The Commission may ask questions during an applicant's testimony to clarify any testimony provided or any material that has been submitted into the record.

The Commission will also hear testimony from parties with standing or general public, at the discretion of the Chair. The applicant has the right to respond to any testimony or material submitted by external parties. When all of the evidence is in, the Commission moves to deliberation and decision of the case. All of this is done in a public hearing



Roles:

Staff acts as the initial witness providing a brief overview of the case and factual information as it relates to the application, and Historical District Guidelines. Staff, like any other witness, **must** be sworn in and is subject to cross-examination.

The Chair is responsible for calling witnesses, following established procedures, ensuring that witnesses present relevant evidence only, and limits repetitious testimony.

Board Members listen and ask relevant questions, assess the credibility of all testimony, remain impartial, and vote on the case.

The applicant, or other witnesses, provide factual testimony for the Commission to consider before ruling on the outcome of the case. All witnesses need to be sworn in by the Chair.

Action by the Historic Preservation Commission:

In considering the application, the Historic Preservation Commission shall review the application materials, the general purpose and standards set forth in the relevant sections of the Historic Guidelines for the granting of COAs, all testimony and evidence received at the public hearing, and most importantly the congruency of the proposal with the Historic District.

After conducting the public hearing, the Commission may:

- (1) Have the authority to subpoena witnesses and may request additional information;
- (2) Continue the public hearing on the requested variance;
- (3) Conduct an additional public hearing on the application;
- (4) Grant the requested COA with conditions. In granting a COA, the Commission may attach appropriate conditions, provided that the conditions are reasonably related to the request.
- (5) Deny the request COA.

Any approval or denial of the request shall be by motion during the public hearing, accompanied by written findings of fact that the COA request meets or does not meet each of the standards set forth in Historic Guidelines.

This staff report along with material submitted by the applicant shall also be included as submitted evidence and made part of the record.

Standards of Review

This request is before the Commission because new construction is considered Major Work. The applicant is proposing construction of a new structure and the proposed work **must** be approved by the Commission.

The Pinehurst Historic Overlay District was established by the Pinehurst Village Council in 2006 under authority cited in North Carolina General Statute 160A-400, which grants a municipality the authority to “safeguard its heritage by preserving any district or landmark therein that embodies important elements of its culture, history, architectural history, or prehistory.” The Pinehurst Historic District is not the same as the National Historic Landmark (NHL). The NHL is an honorary designation that was awarded to the Village of Pinehurst by the National Park Service in 1996. The Pinehurst Historic District includes properties that are included in the NHL, but also includes several other streets and many other properties. The National Historic Landmark Status and Historic District are two different beings

The HPC is to base its decision to approve or deny a COA application on whether the project is congruous with the historic character of the Pinehurst Historic District. A project, including a renovation, addition, or new construction, must be congruous with the character, density, scale, and setting of the surrounding properties. Changes or additions to an existing building must be sufficiently compatible with the primary structure and congruous with the Pinehurst Historic District. The Commission shall not approve a Certificate of Appropriateness until the evidence presented meets the standards within the Historic District Guidelines and satisfies the burden of proof that the proposed request is congruous with the Historic District.

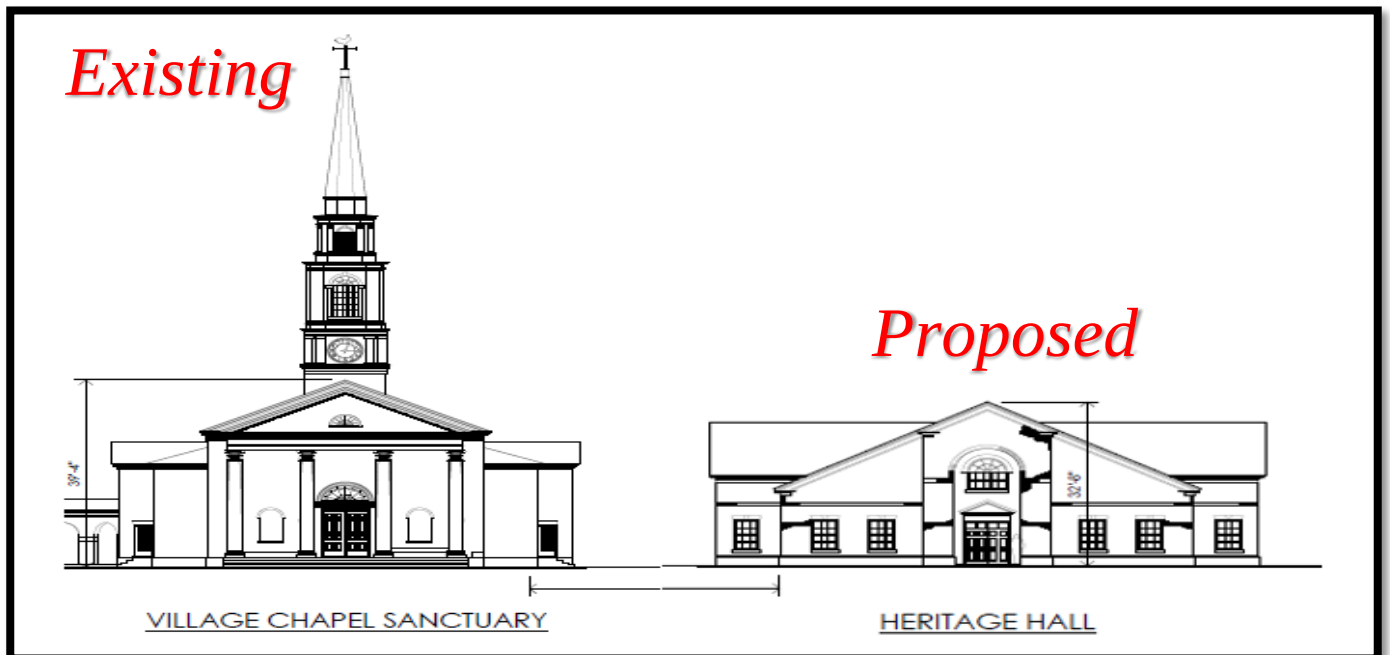
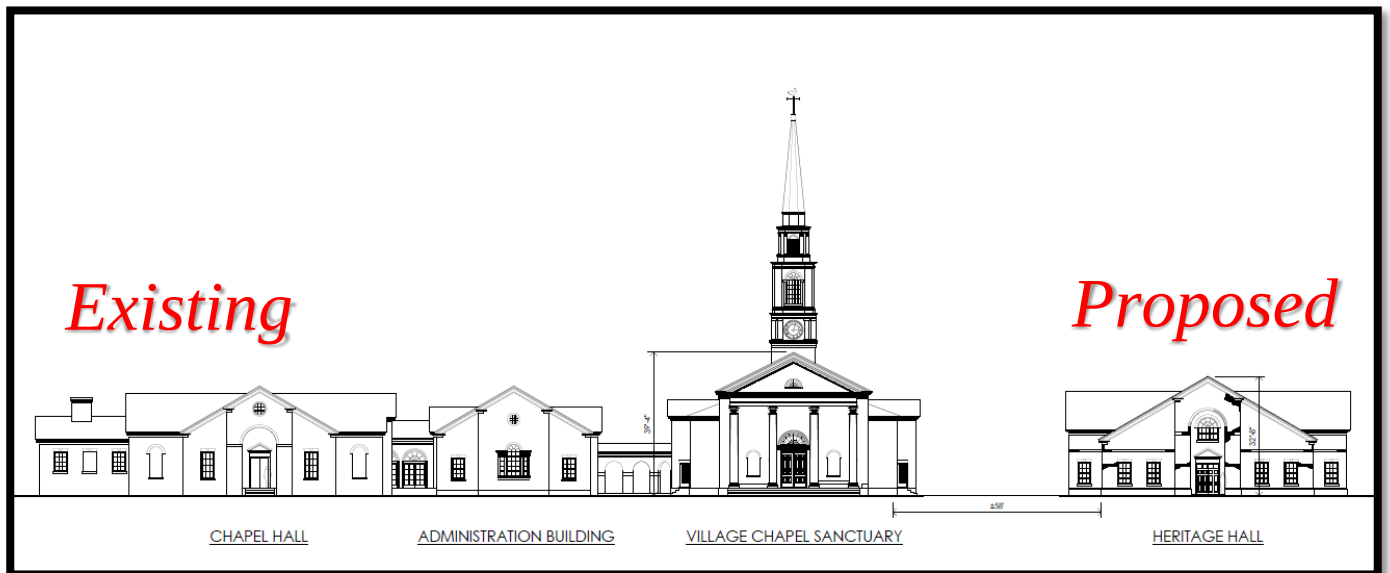
Applicable Guidelines Requirements:

For the purposes of this case and staff report the Village Chapel was reviewed based on the guidelines established for commercial structures. The Village Chapel while not a commercial structure is considered to be a non-residential structure and should be reviewed using non-residential standards.

GENERAL GUIDELINES FOR NEW CONSTRUCTION

1. Section VI.B.1 - New commercial construction must be congruous with the existing commercial buildings in the Pinehurst Historic District and should follow the architectural tradition of one and two-story structures.

The proposed Heritage Hall will match the existing colonial revival style of the existing architecture of Village Chapel complexes. The graphic below illustrates the proposed Heritage Hall against the existing architecture of the existing buildings. The architect has incorporated many of the existing architecture details on site within the design for Heritage Hall and a design that maintains the congruous look while also providing for originality.



2. Section VI.B.3 - Windows should be of similar styles found on existing commercial buildings in the Pinehurst Historic District.

The proposed windows are either an exact match of existing windows to existing windows on site or have clear elements of influence. The proposed windows are compatible and congruous with the existing architecture.

3. Section VI.B.4 - Glass curtain walls, reflective glass, and painted or darkly tinted glass are not permitted.

Based on the application materials the proposed windows will not be tinted or painted.

Applicable Recommendations from the Historic District Guidelines:

GENERAL

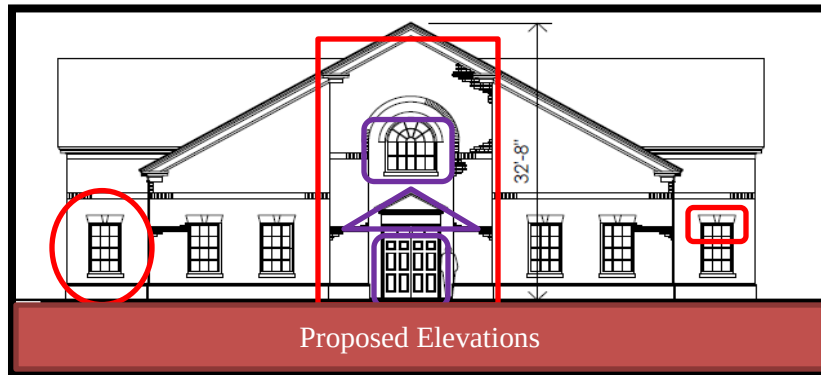
1. Section VI.B.2 - New commercial construction should reflect the character of existing commercial buildings in the Pinehurst Historic District in terms of human scale, fenestration, articulation, massing and materials.

The proposed Heritage Hall does reflect the character of the existing structures on the Village Chapel campus. The proposed addition of this new structure should not detract from the existing character and should be congruous with the special character of the Village of Pinehurst and the Village Chapel.

Scale: the proposed Heritage Hall is to be a 1-1/2 story building with a footprint of 7,317 square feet. Village Chapel is 6800 square feet, the administration building is 3,844 square feet (built 1961), and Chapel Hall is 7,588 square feet (built 1991).

Fenestration (the arrangement of openings on a building): looking at the graphics below, the proposed Heritage Hall emulates many of the same architectural characteristics of the existing structures. The design for Heritage Hall has incorporated the arched entry way from Chapel Hall and 6 over 6 glass pane windows. The brick trim detail around the windows is seen on both Chapel Hall and the Admin building. The arched window style from the admin building is similar to the arched window above the entry of Heritage Hall. Lastly, the proposed front door of Heritage Hall has incorporated the design style of the front door from Village Chapel.





Massing and Material: The proposed Heritage Hall is keeping in the same mass of the other buildings on the Village Chapel campus. The architect was thoughtful to give this building a unique design, but also made sure it blended in with the existing campus. Ensuring the compatibility of this structure's architecture to the rest of the structures is important because it will keep Village Chapel as the focal point and maintain historic significance of the site. The proposed Heritage Hall is to be just under 33 feet in height and the main roof line of Village Chapel is just under 40 feet (not including the spire). By designing the roofline of the new structure to be below the roofline of the Village Chapel, the architect has ensured the front façade mass of this new building doesn't overwhelm. The applicant has indicated the intent to use building material that will match existing material on site as much as possible.

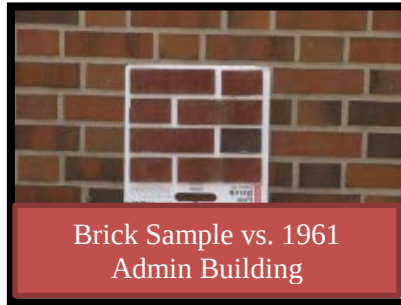
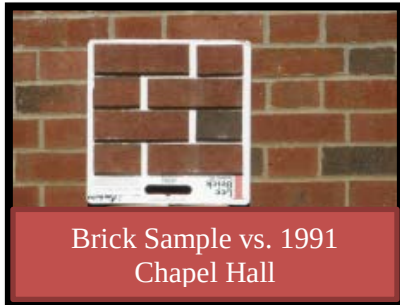
2. Section VI.B.3 - Windows should be of similar styles found on existing commercial buildings in the Pinehurst Historic District.

The proposed windows match existing windows on the administration and Chapel Hall buildings or have clear elements of influence from existing windows on site. The proposed windows are compatible and congruous with the existing architecture.



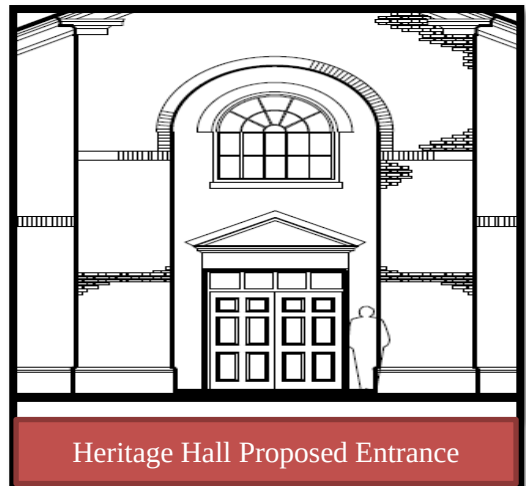
3. Section VI.B.5 - Facade materials should consist of brick, shake, wood clapboard, or a similar compatible substitute material

The proposed building material for the façade is brick to match existing.



4. Section VI.B.6 - Entrances should reflect the character found on existing commercial buildings in the Pinehurst Historic District.

As previously stated, the proposed entrance to the Heritage Hall is reflective of the existing entrance to the Chapel Hall Building and is congruous with the character of the Pinehurst Historic District.



5. Section VI.B.7 - Roof forms should be congruous with those on existing commercial buildings in the Pinehurst Historic District.

The proposed roof line mirrors the existing rooflines on all other buildings on site. The only difference in the proposed roofline is that it may be slightly taller than the other buildings, but is smaller in scale than Village Chapel.



6. Section VI.B.8 - New buildings should be painted in colors that are in the Village of Pinehurst Color Palette.

According to the application the only architectural detail to be painted is the Roof Exhaust Vents. The proposed color is gray, which would be congruous with the Village of Pinehurst Color Palette.

EXTERIOR	MATERIAL	COLOR
Front Elevation	Brick, flemish bond	matching
Rear Elevation	Brick, flemish bond	matching
Right Elevation	Brick, flemish bond	matching
Left Elevation	Brick, flemish bond	matching
Trim	Painted Exterior Trim	matching
Windows	Clad Wood	matching
Chimney	N/A	N/A
Foundation	Brick water-table course	matching
Front Door	Wood / Clad Wood	matching
Shutters	N/A	N/A
Garage Door	N/A	N/A
Roof	Slate	matching
Roof Exhaust Vents	Minimal VTRs as req'd	Painted gray to match shingles
Front Porch	Concrete slab w/ brick edging	matching
Deck	N/A	N/A
Patio	N/A	N/A
Sidewalk	Brick pavers in matching pattern	matching
Sky Lights	N/A	N/A
Driveway	Asphalt paving	asphalt
House Number	N/A	N/A

EXHIBIT A

Record Id: [COA-2020-00053](#)
File Date: 5/6/2020
Application Status: In Review
Application Type: Historic Certificate of Appropriateness - Major
Description of Work: New Construction Christian Education Building
Application Name: Heritage Hall at The Village Chapel
Address: 10 AZALEA Rd, PH 28374
Owner Name: VILLAGE CHAPEL INC
Owner Address: 10 AZALEA RD PINEHURST PINEHURST
Parcel No: 00029674

Contact Info:

Name:
Organization Name: Bogle Firm Architecture
Contact Type: Applicant
Contact Primary Address:

Licensed Professionals Info:

Primary: N
License Number:
License Type:
Name:
Business Name : Bogle Firm Architecture
Business License#:
Job Value: 0.00
Total Fee Assessed: 500.00
Total Fee Invoiced: 500.00
Balance: 0.00

Custom Fields:

GENERAL INFORMATION

Description of Changes to the Structure:	New Construction. No modification to existing buildings.	Type of Work:	New
Existing Use:	Services	Proposed Use:	Services
Includes Demolition:	No	Includes Tree Removal:	Yes
Estimated Cost of Construction:	2500000	COA Number:	

PERMIT DATES

Application Expiration Date:
Permit Issued Date:
Permit Expiration Date:

EXHIBIT A

Front Elevation

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Rear Elevation

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Right Elevation

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Left Elevation

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Trim

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Windows

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Chimney

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Foundation

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Front Door

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Shutters

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

EXHIBIT A

Garage Door

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Roof

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Roof Exhaust Vents

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Front Porch

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Deck

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Patio

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Sidewalk

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Sky Lights

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Driveway

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

House Number

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

Other

Existing Material	Proposed Material	Proposed Color
-------------------	-------------------	----------------

**Certificate of Appropriateness Submittal
to the Historic Preservation Commission
of the Village of Pinehurst**



**The Village Chapel
Heritage Hall**
Proposed New Construction at
The Village Chapel, Pinehurst, NC

May 6, 2020

The Bogle Firm Architecture, PLLC
110 N. Main Street, Suite 200
Salisbury, NC 28144 • 704.638.2015

Index

- 1) Application for Local Historic District
- 2) Colors and Materials Form
- 3) Description of Project
- 4) Attachments:
 1. General Concept Plan
 2. Floor Plans
 3. Building Elevations
 4. Renderings
 5. Materials



Application for Local Historic District

This form is required to be submitted for most work proposed within the Local Historic District. Please note that other applications may be required for your project in addition to this form. All major work projects require at least 10 sets of plans and applications for historic review. These sets may be reduced-size, as long as they are legible. The Historic Preservation Commission generally meets the 4th Thursday of each month; please refer to the schedule for any holiday changes. Submittals for the Historic Commission are required at least 3 weeks prior to any given meeting. Please note that most single family projects require review by Planning Staff first; non-residential projects require other technical staff review and possibly reviews by other boards. Please refer to the *Local Historic District Standards and Guidelines* and the Pinehurst Development Ordinance for requirements and standards.

Property Data

Property Owner(s): _____

Business Name (if applicable): _____

Tenant Name (if applicable): _____

Physical Address: _____

Mailing Address (if different): _____

Phone #: _____ Mobile #: _____

Zoning District: _____ LRK #: _____ PIN #: _____

Applicant/Contractor Data

Name: _____

Contractor License #: _____

Phone #: _____

E-mail Address (optional): _____

Mailing Address: _____

Estimate Cost of Construction: \$ _____

*Would you like your sets of plans returned to you from the Historic Commission? Yes: _____ No: _____

Planning and Inspections Department

395 Magnolia Rd - Pinehurst, North Carolina 28374

(910) 295-2581- Fax (910) 295-1396 - www.villageofpinehurst.org



Application for Local Historic District

Description of Project:



Application for Local Historic District

EXTERIOR MATERIAL COLOR FORM

EXTERIOR	MATERIAL	COLOR
Front Elevation		
Rear Elevation		
Right Elevation		
Left Elevation		
Trim		
Windows		
Chimney		
Foundation		
Front Door		
Shutters		
Garage Door		
Roof		
Roof Exhaust Vents		
Front Porch		
Deck		
Patio		
Sidewalk		
Sky Lights		
Driveway		
House Number		

Signature:  Date: _____

Project Background

The proposed “Heritage Hall” addition to the Village Chapel will provide much needed space for The Village Chapel congregation. Bogle Firm Architecture, of Salisbury, utilized the Village's Historic District Design Standards as a central guide and consulted with Village Planning Department staff throughout the design process to ensure compliance with the Pinehurst Development Ordinance Review Criteria for Certificates of Appropriateness. As proposed, the Heritage Hall addition is in congruity with the Village of Pinehurst Historic District and the existing Village Chapel campus.

The Village Chapel was constructed in 1924, approximately thirty years after the Village Green was laid out. New York architect, Hobart Upjohn, designed the original 6,800 square foot brick Colonial Revival structure. Over the years two additional buildings were added to the Chapel campus: the Administration Building built on the west side of the chapel in 1961; and the Chapel Hall, constructed in 1991. The 1961 and 1991 buildings contain 3,844 square feet and 7,558 square feet, respectively.

The design presented in the attached plans and documents preserves the status of the 1924 Village Chapel sanctuary as the focal point of the complex.

Heritage Hall will be a 1 ½ story building with a footprint of 7,317 square feet and an unfinished second floor of 3,238 square feet. The second floor will be used as storage space until a point in the future when additional classroom or meeting spaces may be needed.

Massing and Building Placement

Using a matching roof pitch to other secondary campus buildings, the Heritage Hall will measure 32 feet, 8 inches in height at the roof ridge. Its height is close to that of the 1961 and 1991 buildings (± 30 feet). The highest point of Heritage Hall will be roughly 7 feet lower than the ridgeline of the 1924 sanctuary, and considerably lower than its steeple. The multi-gabled roofline of the proposed Heritage Hall reflects similar elements found in the Administration and Chapel Hall buildings.

Site layout will preserve the sanctuary building as the primary focal point and will add symmetry to the overall campus. The front of the proposed Heritage Hall is set back 70 feet from the front steps of the sanctuary and aligns with the front facade of the existing Chapel Hall building on the west side of the campus. The western wing of the proposed building is sited 42 feet away from the nearest existing wing of the sanctuary building. This provides a clear distance of roughly 58 feet from the main body of the sanctuary to the main body of the proposed building. No physical connections will be made to the existing sanctuary and no work is planned on any of the existing buildings. This also provides a clear distance of nearly 100 feet to from the closest point of the building to Village Green Road East.

The overall result is a bilaterally balanced plan with all of the additions (1961, 1991 and proposed 2020) in subservient positions to Upjohn's original design.

Architectural Detailing

The exterior brickwork and other architectural details proposed for the Heritage Hall will be similar to those used on the Administration Building and Chapel Hall in order to maintain the established architectural language of the entire site. Architectural details compliment, but do not replicate, the 1924 sanctuary, as the historic Chapel needs to stand out as the focal point of the complex. The exterior of the Heritage Hall will be Flemish bond pattern brick with jack arches over the door and window openings. Brick size, color, and mortar color will closely match the 1961 and 1991 buildings. Details such as the cast stone windowsills and eave trim will be replicated, although contemporary materials may be

used (painted fiber cement). A slate roof will be installed. New clad wood windows will match the construction and style of the Administration and Chapel Hall buildings. Proportions of window opening dimensions and grid configurations will be similar.

Site Configuration & Landscaping

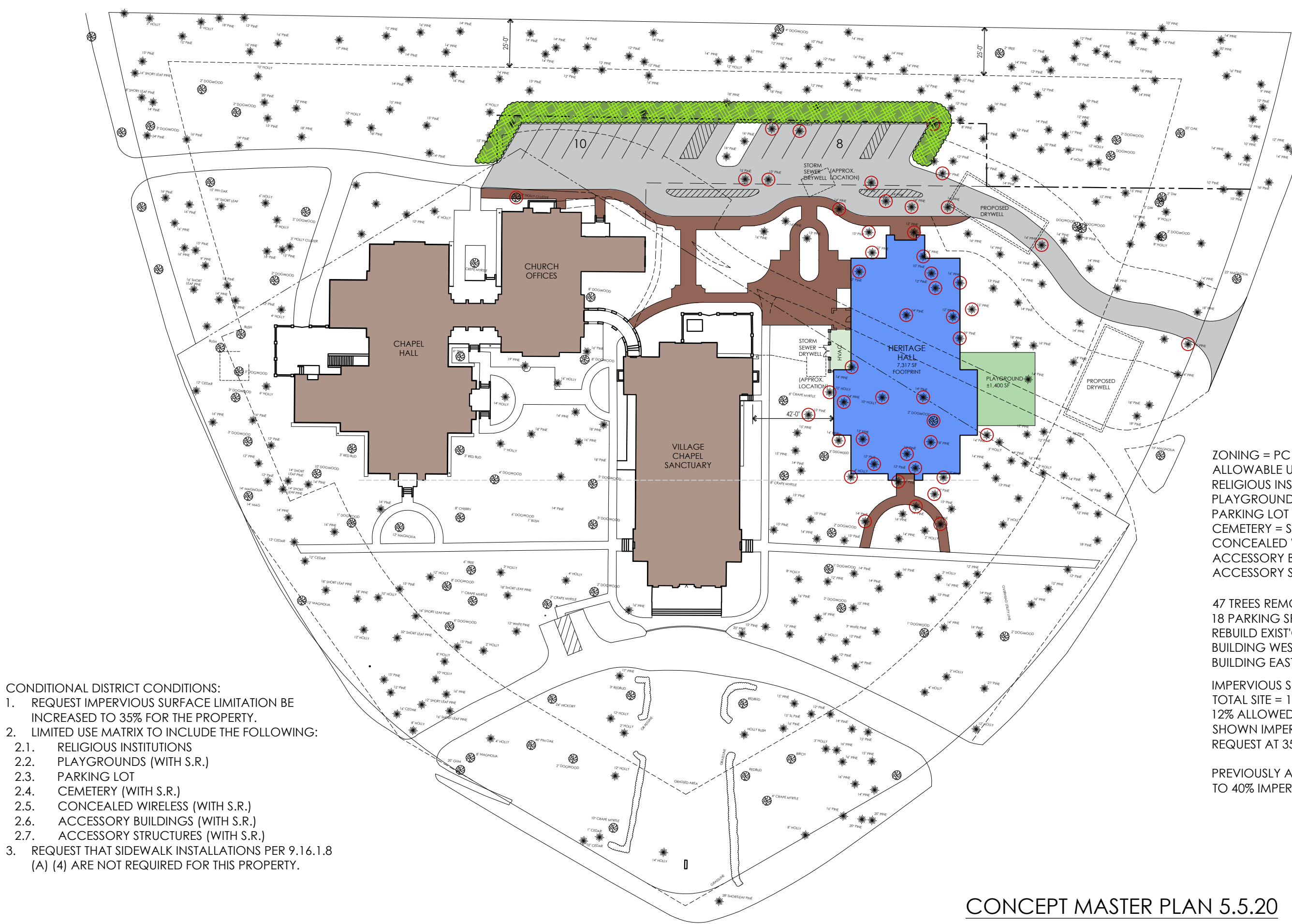
The Village Chapel sits on a 4.5-acre parcel at the south end of the Village Green. The oval-shaped Village Green is characterized by an abundance of tall, evergreen Longleaf Pines and has long-served as the central open space to the Village of Pinehurst. Together, the lands of The Village Chapel, The Village Green, and the Given Memorial Library parcels comprise a contiguous area of 12 ¼ acres. When viewed from various vantage points, the Chapel campus is seen through a filter of pines, hollies, dogwoods and other plantings. Pinehurst's evergreen setting is a character defining feature of the village.

The 1-1/2 story proposed design for the Heritage Hall minimizes the addition's footprint to 7,317 square feet, and is designed to meet the church's immediate and future Christian education space needs. The building, hardscaping, underground drywells, and parking/driveways have been carefully designed to limit necessary tree removal. As proposed, 47 trees (40 pines) will be required to be removed. The total campus has roughly 430 trees across the 4.5 acres.

Landscaping will be designed to meet PDO buffering standards along the parking lot. Other landscaping design will be ornamental around the building foundations and within the rear courtyard areas. Historically appropriate flora selections will include Long Leaf Pines, Dogwoods, Redbuds, Camellias, Azaleas, and Holly Varieties that are of common use on the site and in the Old Town portion of the Village.

The proposed playground for small kids on the east side of the building will be enclosed with a wrought-iron picket style fence to meet PDO standards. Fencing will likely be aluminum construction and 4 feet tall to keep young kids from wandering off of the play yard.

The parking area will be slightly reconfigured to generate a net gain of five (5) parking spaces, for a total of eighteen (18) parking spaces without significantly altering the appearance of the property. The existing traffic pattern will remain as one-way flow with a driveway entrance from Village Green West. Traffic will continue to use the existing driveway located on the western side of the property and exit the property on the east. The proposed driveway exiting the site is designed with two bends to minimize the loss of pine trees and to create a visual break when looking into the campus from Village Green East.



- CONDITIONAL DISTRICT CONDITIONS:
1. REQUEST IMPERVIOUS SURFACE LIMITATION BE INCREASED TO 35% FOR THE PROPERTY.
 2. LIMITED USE MATRIX TO INCLUDE THE FOLLOWING:
 - 2.1. RELIGIOUS INSTITUTIONS
 - 2.2. PLAYGROUNDS (WITH S.R.)
 - 2.3. PARKING LOT
 - 2.4. CEMETERY (WITH S.R.)
 - 2.5. CONCEALED WIRELESS (WITH S.R.)
 - 2.6. ACCESSORY BUILDINGS (WITH S.R.)
 - 2.7. ACCESSORY STRUCTURES (WITH S.R.)
 3. REQUEST THAT SIDEWALK INSTALLATIONS PER 9.16.1.8 (A) (4) ARE NOT REQUIRED FOR THIS PROPERTY.

ZONING = PC "PUBLIC CONSERVATION"
ALLOWABLE USES IN PC DISTRICT:
RELIGIOUS INSTITUTIONS = BY RIGHT
PLAYGROUND = SPECIAL REQUIREMENTS
PARKING LOT (PRIMARY USE) = BY RIGHT
CEMETERY = SPECIAL REQUIREMENTS
CONCEALED WIRELESS = SPECIAL REQ.
ACCESSORY BUILDING = SPECIAL REQ.
ACCESSORY STRUCTURES = SPECIAL REQ.

47 TREES REMOVED (40 PINES)
18 PARKING SPACES SHOWN
REBUILD EXIST'G DRYWELL TO ACCEPT NEW
BUILDING WEST. ADD DRYWELL FOR NEW
BUILDING EAST.

IMPERVIOUS SURFACES
TOTAL SITE = 196,702 SF INSIDE PROP. LINES
12% ALLOWED = 17,408 SF
SHOWN IMPERVIOUS = 57,684 SF (29.33%)
REQUEST AT 35% = POTENTIAL ADD 11,162 SF

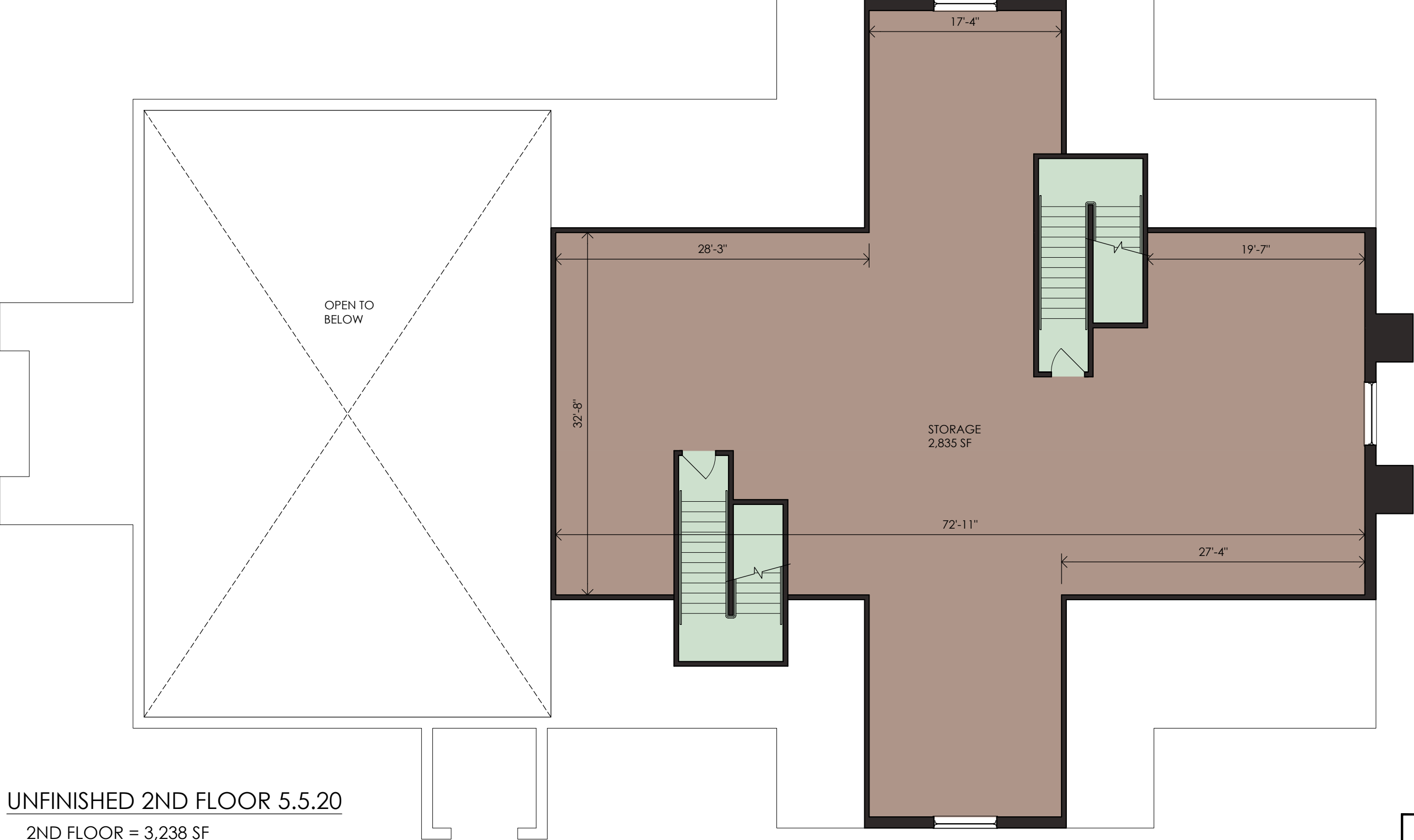
PREVIOUSLY APPROVED MSU ALLOWED UP
TO 40% IMPERVIOUS.

CONCEPT MASTER PLAN 5.5.20



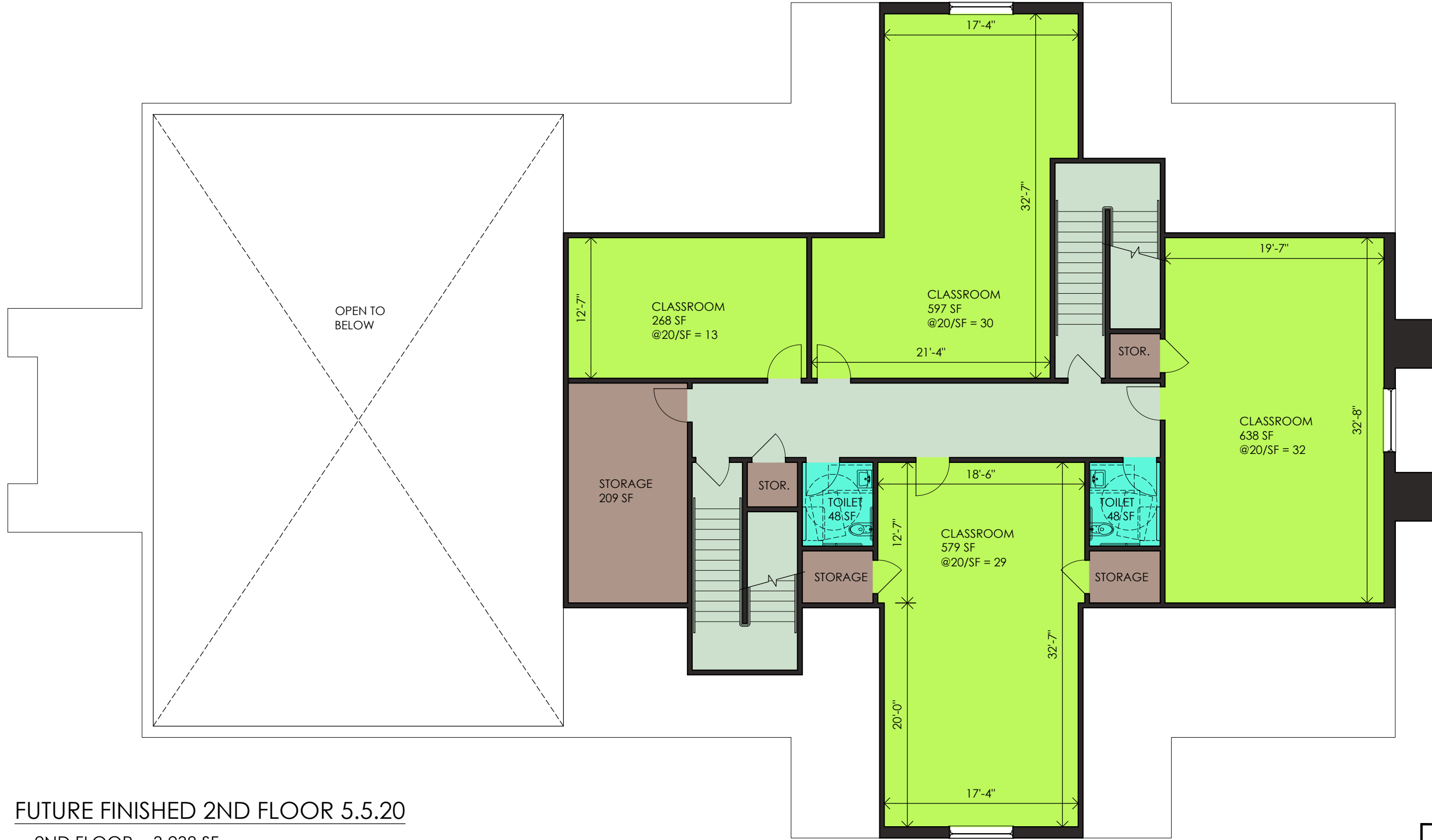
FIRST FLOOR PLAN 5.5.20

1ST FLOOR = 7,197 SF
FULLY SPRINKLERED
ASSEMBLY SPACE, NURSERY,
5 CLASSROOMS, TOILETS,
STORAGE.



UNFINISHED 2ND FLOOR 5.5.20

2ND FLOOR = 3,238 SF
FULLY SPRINKLERED
STORAGE



FUTURE FINISHED 2ND FLOOR 5.5.20

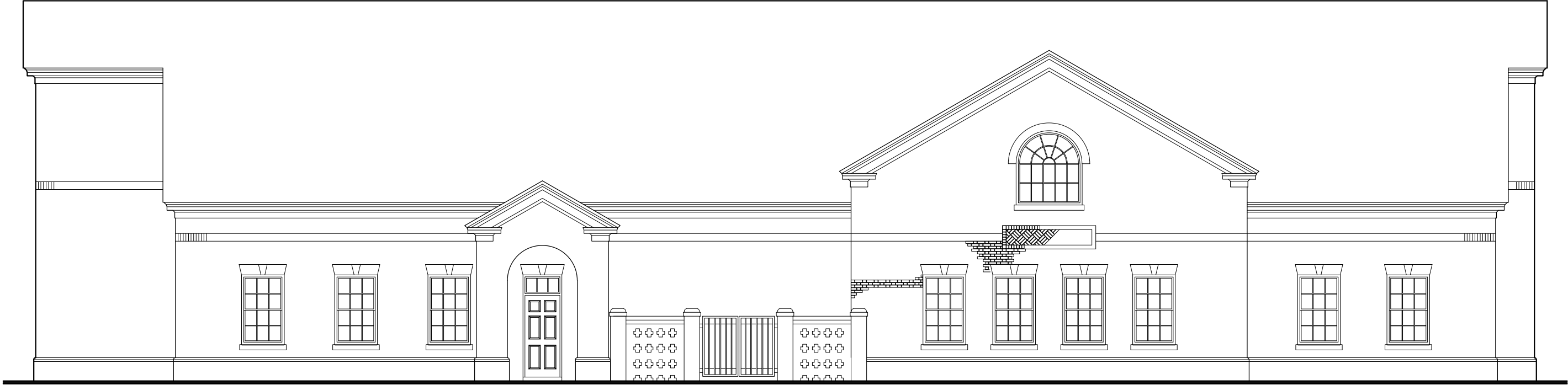
2ND FLOOR = 3,238 SF
FULLY SPRINKLERED
4 CLASSROOMS, TOILETS,
STORAGE.



EAST ELEVATION 5.5.20



NORTH ELEVATION 5.5.20



WEST ELEVATION 5.5.20



SOUTH ELEVATION 5.5.20





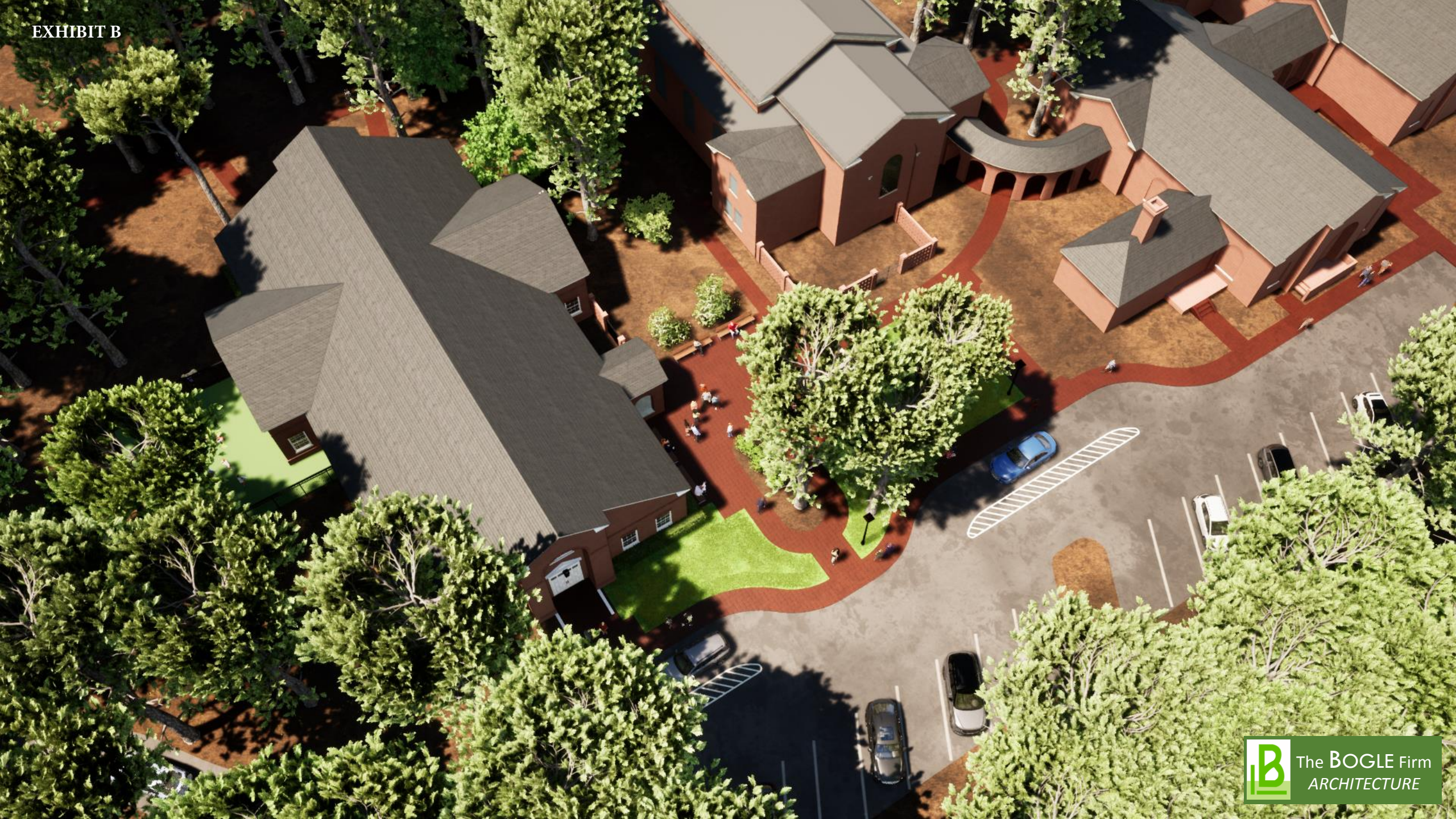


EXHIBIT B





EXHIBIT B







EXHIBIT B



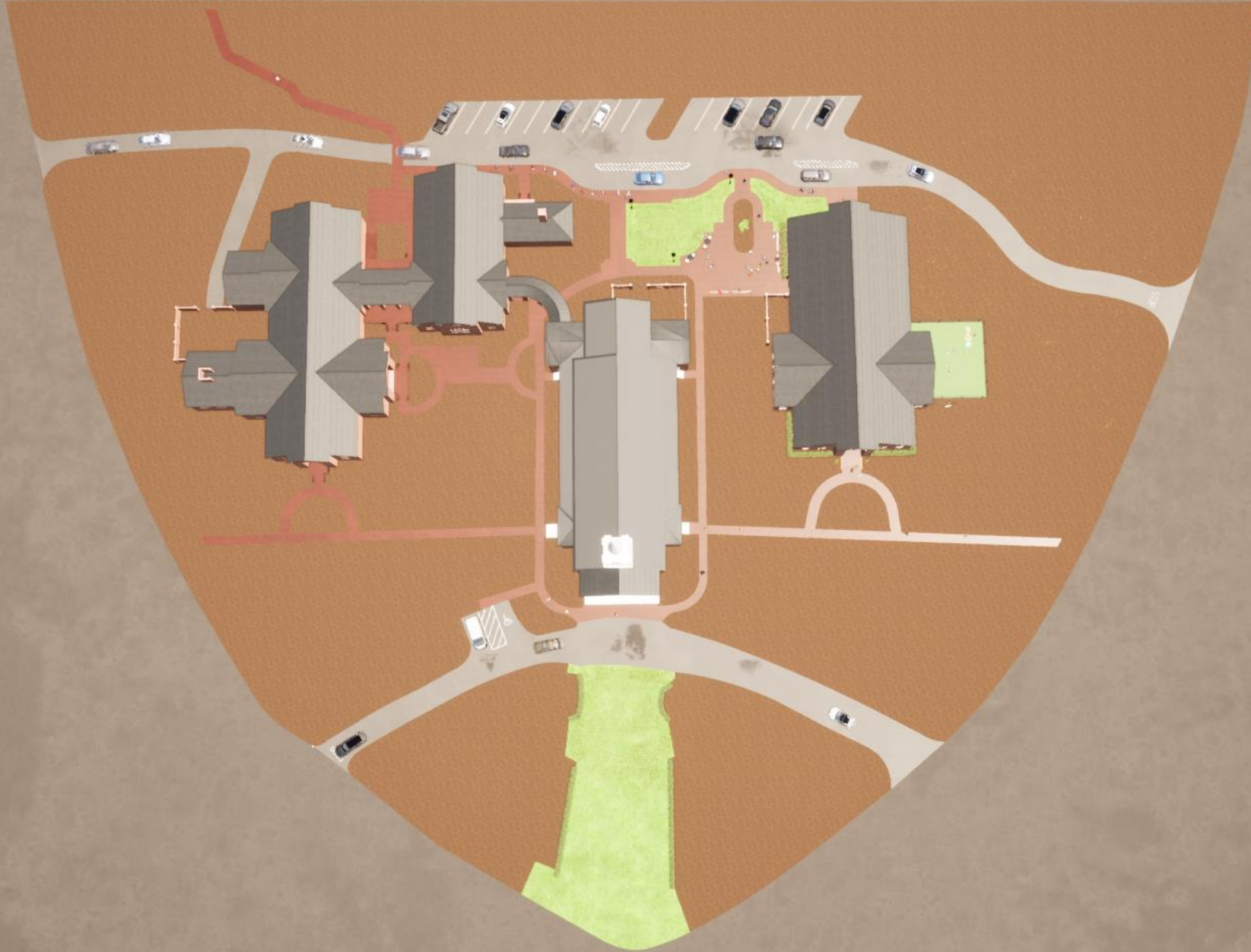








EXHIBIT B











Arched Gable Entry, Chapel Hall, 1991

Clad Wood Windows, 1991



Clad Wood Window Grid, 1991



Precast Window Sills, 1961 & 1991



EXHIBIT B



Potential brick selection against
1991 Chapel Hall Building



Potential brick selection against
1961 Administration Building



Potential brick selection against
1924 Village Chapel Sanctuary



Slate Roof, 1961
shown in picture.



6-Panel Double Door with
Pediment Trim, 1991



CONSENT TO CONDUCT THE REQUIRED PUBLIC HEARING
ELECTRONICALLY

Board: ☐ Planning and Zoning Board
☒ Historic Preservation Commission
☐ Board of Adjustment

Meeting Date: May 28, 2020

The Village Council of the Village of Pinehurst, in order to comply with North Carolina Governor Roy Cooper's Executive Order 121 banning gatherings over 10 during the State of Emergency to address the Coronavirus (COVID19) public health emergency, passed Resolution #20-08 authorizing appointed boards to conduct electronic meetings.

I consent to participate and have the required public hearing held electronically for the application at:

**The Village Chapel
10 Azalea Road
Pinehurst, NC 28374**

Jack B. Wood, Chairman, Buildings and Grounds Committee
The Village Chapel

Name

Signature

May 11, 2020
Date

**The Village Chapel
10 Azalea Road
Pinehurst, NC 28374**

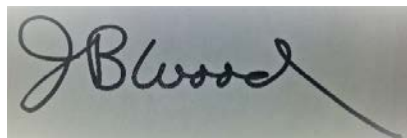
May 11, 2020

Peter Hughes
Senior Planner
Village of Pinehurst
395 Magnolia Rd
Pinehurst, NC 28374

Mr. Hughes,

This letter is certification that Mr. Pete Bogle and the firm, Bogle Architecture, has the permission of the Village Chapel to represent our interests and to speak on our behalf at the public meeting of the Historic Preservation Commission regarding our application for a Certificate of Appropriateness for our new building project.

Regards.

A handwritten signature in black ink, appearing to read "JB Wood", with a long, thin horizontal stroke extending to the right.

Jack B. Wood, P.E.
Chairman
Building and Grounds Committee
The Village Chapel
703 608-4093 c
910 255-6481 h
Jwood008@nc.rr.com



FINAL ORDER
VILLAGE OF PINEHURST
HISTORIC PRESERVATION COMMISSION
COA 2020-00053 Village Chapel, 10 Azalea Road
Introduction

This matter was heard by the Village of Pinehurst Historic Preservation Commission on May 28, 2020. Having heard the evidence and reviewed any relevant documents submitted by the parties, the Commission now makes the following findings and conclusions.

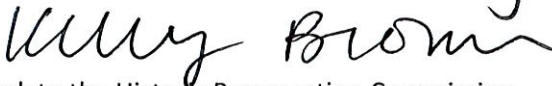
Order

The Historic Preservation Commissioner may at times determine that a proposed change or design which does not meet the Guidelines is, in fact, more congruous with the special character of the Pinehurst Historic District than if the property owner had followed the Guidelines. Conversely, an application meeting the Guidelines could be determined to be incongruous with the character of the District. Strict adherence to the Guidelines in those cases is not required if the Historic Preservation Commission clearly states on the record the reasons why the proposed design or improvements are congruous or incongruous before issuing or denying a Certificate of Appropriateness.

Upon due consideration of the application package submitted and the testimony given, the Historic Preservation Commission concludes the following:

- ☒ That the applicant has satisfied the burden of persuasion and the project as proposed subject to any conditions imposed by the Commission is congruous with the Pinehurst Historic District and consistent with Historic District Guidelines. Or
- ☐ That the project as proposed is not in conformity with the guidelines, nevertheless the applicant has satisfied the burden of persuasion and the project subject to any conditions imposed by the Commission is deemed congruous with the Pinehurst Historic District. Or
- ☐ That the applicant has not satisfied the burden of persuasion and the project as proposed is not congruous with the Pinehurst Historic District.

Hereby ordered the 29th of May, 2020.


Clerk to the Historic Preservation Commission


Chair of the Historic Preservation Commission

Attachments: Attach application, map, description of significance (if available)



VILLAGE OF PINEHURST

Certificate of Appropriateness

Property Owner: VILLAGE CHAPEL INC

Applicant:

Physical Address: 10 AZALEA Rd PH, 28374

Lot:

PIN: 00029674

COA#: [COA-2020-00053](#)

Date Issued: 5/29/2020

Nature of Work: New

Conditions, If Any:

Description of Work: *New Construction of a structure, court yard, driveway, pathways, and play yard*

Approved By:

☐ Staff: _____

☒ HPC, DATE: 5/28/2020

POSTING: WORK REQUIRING A CERTIFICATE OF APPROPRIATENESS SHALL NOT COMMENCE UNTIL THE PROPERTY OWNER OR HIS AGENT POSTS THIS PLACARD IN A CONSPICUOUS PLACE ON THE PREMISES. THE PLACARD SHALL BE MAINTAINED IN POSITION UNTIL THE FINAL INSPECTION IS CONCLUDED BY THE PLANNING DEPARTMENT. PLEASE CALL (910)295-2581 WHEN YOUR PROJECT IS COMPLETE TO SCHEDULE A HISTORIC INSPECTION.



**DISCUSS AND CONSIDER ORDINANCE 20-07 AMENDING THE OFFICIAL
PINEHURST ZONING MAP (VILLAGE CHAPEL).
ADDITIONAL AGENDA DETAILS:**

FROM:

Darryn Burich

CC:

Jeff Sanborn & Natalie Hawkins

DATE OF MEMO:

7/7/2020

MEMO DETAILS:

Attached is an ordinance amending the official zoning map as it pertains to the rezoning of one current parcel of land consisting of approximately 4.5 acres further identified as Moore County PID #00029674, Village Chapel. The request would rezone the property from Public Conservation District (PC) to Public Conservation-Conditional District (PC-CD) and would include conditions mutually agreed upon by the Village Council and the applicant.

ATTACHMENTS:

Description

- ☐ Ordinance 20-07
- ☐ Exhibit A
- ☐ Exhibit B

ORDINANCE #20-07:

AN ORDINANCE AMENDING THE OFFICIAL PINEHURST ZONING MAP AS IT PERTAINS TO THE REZONING OF ONE CURRENT PARCEL OF LAND CONSISTING OF APPROXIMATELY 4.5 ACRES FURTHER IDENTIFIED AS MOORE COUNTY PID 00029674, VILLAGE CHAPEL.

WHEREAS, the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance and Map on the 8th day of October, 2014, for the purpose of regulating planning and development in the Village of Pinehurst and the extraterritorial area over which it has jurisdiction; and

WHEREAS, said Ordinance and Map may be amended from time to time as circumstances and the best interests of the community have required; and

WHEREAS, a public hearing was held at 4:30 p.m. on July 14, 2020 in the Assembly Hall of the Pinehurst Village Hall, Pinehurst, North Carolina after due notice in the Pilot, a newspaper in Southern Pines, North Carolina, with general circulation in the Village of Pinehurst, and its extraterritorial jurisdiction, for the purpose of considering rezoning of approximately 4.5 acres and further identified as Moore County PID #00029674, from PC (Public Conservation District) to PC-CD (Public Conservation – Conditional District), at which time all interested citizens, residents and property owners in the Village of Pinehurst and its extraterritorial jurisdiction were given an opportunity to be heard as to whether they favored or opposed the proposed rezoning; and

WHEREAS, the Planning and Zoning Board has recommended the zoning map be amended and the general concept plan be approved with conditions; and

WHEREAS, the applicant has agreed upon the following condition(s):

1. Permit a maximum impervious coverage of 33%.
2. Not install public sidewalks along Village Green Road East.
3. Limit Uses and Special Requirements to:
 - a. Religious Institutions
 - b. Playgrounds
 - c. Parking Lot
 - d. Concealed Wireless Facility
 - e. Accessory Buildings
 - f. Accessory Structures
 - g. All Permitted Temporary Uses
4. One-for-one tree replacement for trees removed.
5. Installation of a landscape buffer around the playground.

WHEREAS, the Village Council, after considering all of the facts and circumstances surrounding the proposed rezoning, have determined that it is in the best interests of the Village of Pinehurst and the extraterritorial jurisdiction that the Development Ordinance and Zoning Map be amended.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled on this 14th day of July, 2020 as follows:

SECTION 1. That the Pinehurst Zoning Map of the Village of Pinehurst and its extraterritorial zoning jurisdiction hereby is amended by rezoning of approximately 4.5 acres and further identified as Moore County PID #00029674, from PC (Public Conservation District) to PC-CD (Public Conservation – Conditional District).

SECTION 2. The rezoning map as attached hereto as Exhibit A, and made part of hereof, the same as if included verbatim.

SECTION 3. The general concept plan as attached hereto as Exhibit B, and made part of hereof, the same as if included verbatim.

SECTION 4. This Ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 14th day of July, 2020.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
John C. Strickland

Attest:

Approved as to Form:

Beth Dunn, Village Clerk

Michael J. Newman, Village Attorney

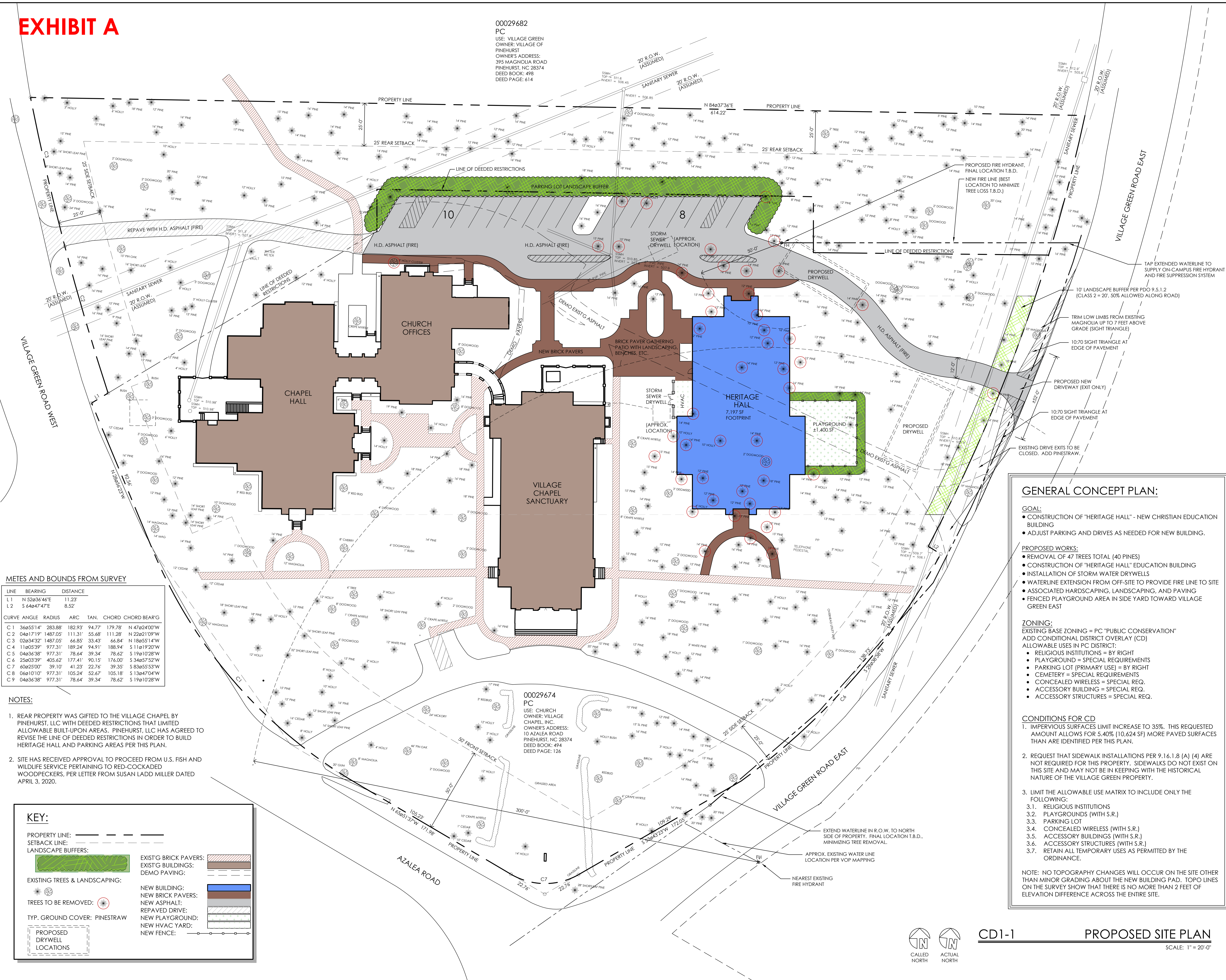
EXHIBIT A

00029682
PC
USE: VILLAGE GREEN
OWNER: VILLAGE OF
PINEHURST
OWNER'S ADDRESS:
395 MAGNOLIA ROAD
PINEHURST, NC 28374
DEED BOOK: 498
DEED PAGE: 614

the BOGLE FIRM ARCHITECTURE

110 N. MAIN ST SUITE 200
SALISBURY, NC 28144
pete@boglefirm.com
www.boglefirm.com
704.638.2015

PUBLICATION OR REUSE OF THESE DRAWINGS OR ANY INCLUDED DETAILS MUST BE WITH THE WRITTEN CONSENT OF THE FIRM'S PRINCIPAL ARCHITECT.



METES AND BOUNDS FROM SURVEY

LINE	BEARING	DISTANCE
L1	N 52°36'46"E	11.23'
L2	S 64°47'47"E	8.52'

CURVE	ANGLE	RADIUS	ARC	TAN.	CHORD	CHORD BEAR'G
C1	36°55'14"	283.88'	182.93'	94.77'	179.78'	N 47°24'00"W
C2	04°17'19"	1487.05'	111.31'	55.68'	111.28'	N 22°21'09"W
C3	02°34'32"	1487.05'	66.85'	33.43'	66.84'	N 18°55'14"W
C4	11°05'39"	977.31'	189.24'	94.91'	188.94'	S 11°01'20"W
C5	04°36'38"	977.31'	78.64'	39.34'	78.62'	S 19°10'28"W
C6	25°03'39"	405.62'	177.41'	90.15'	176.00'	S 34°57'32"W
C7	60°25'00"	39.10'	41.23'	22.76'	39.35'	S 83°35'53"W
C8	06°10'10"	977.31'	105.24'	52.67'	105.18'	S 13°47'04"W
C9	04°36'38"	977.31'	78.64'	39.34'	78.62'	S 19°10'28"W

NOTES:

1. REAR PROPERTY WAS GIFTED TO THE VILLAGE CHAPEL BY PINEHURST, LLC WITH DEEDED RESTRICTIONS THAT LIMITED ALLOWABLE BUILT-UPON AREAS. PINEHURST, LLC HAS AGREED TO REVISE THE LINE OF DEEDED RESTRICTIONS IN ORDER TO BUILD HERITAGE HALL AND PARKING AREAS PER THIS PLAN.
2. SITE HAS RECEIVED APPROVAL TO PROCEED FROM U.S. FISH AND WILDLIFE SERVICE PERTAINING TO RED-COCKADED WOODPECKERS, PER LETTER FROM SUSAN LADD MILLER DATED APRIL 3, 2020.

KEY:

PROPERTY LINE: ———
SETBACK LINE: - - - - -
LANDSCAPE BUFFERS: [Green Hatched Box]

EXISTING TREES & LANDSCAPING:

TREES TO BE REMOVED: [Circle with Cross]

TYP. GROUND COVER: PINESTRAW

PROPOSED DRYWELL LOCATIONS

EXIST'G BRICK PAVERS:
EXIST'G BUILDINGS:
DEMO PAVING:

NEW BUILDING:
NEW BRICK PAVERS:
NEW ASPHALT:
REPAVED DRIVE:
NEW PLAYGROUND:
NEW HVAC YARD:
NEW FENCE:

00029674
PC
USE: CHURCH
OWNER: VILLAGE
CHAPEL, INC.
OWNER'S ADDRESS:
10 AZALEA ROAD
PINEHURST, NC 28374
DEED BOOK: 494
DEED PAGE: 126

CD1-1

PROPOSED SITE PLAN

SCALE: 1" = 20'-0"

CONDITIONAL DISTRICT SITE PLAN

GENERAL CONCEPT PLAN
PROPOSED SITE MASTER PLAN

REVISED 6.3.20:
THE FOLLOWING REVISIONS WERE MADE PER COMMENTS FROM VILLAGE PLANNING AND ENGINEERING STAFF FROM T.R.C. REVIEW OR CHURCH DECISION:

- CEMETERY USE HAS BEEN DELETED
- LANDSCAPE BUFFER ADDED TO VILLAGE GREEN EAST
- SIGHT TRIANGLES PLACED ALONG PAVEMENT EDGE & EXISTING TREE NOTED TO BE TRIMMED UP TO REQUIRED CLEARANCE HEIGHT
- PUBLIC SEWER LINES SHOWN CROSSING CAMPUS WITH PRESCRIPTIVE 20' EASEMENTS
- SHOWING CLOSEST EXISTING FIRE HYDRANT (#2-56)
- SHOWING PROPOSED NEW FIRE LINE AND NEW HYDRANT LOCATIONS ON CAMPUS
- ADDED SURVEY METES & BOUNDS
- NOTE ON TOPOGRAPHY ADDED

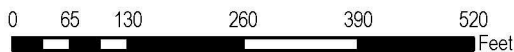
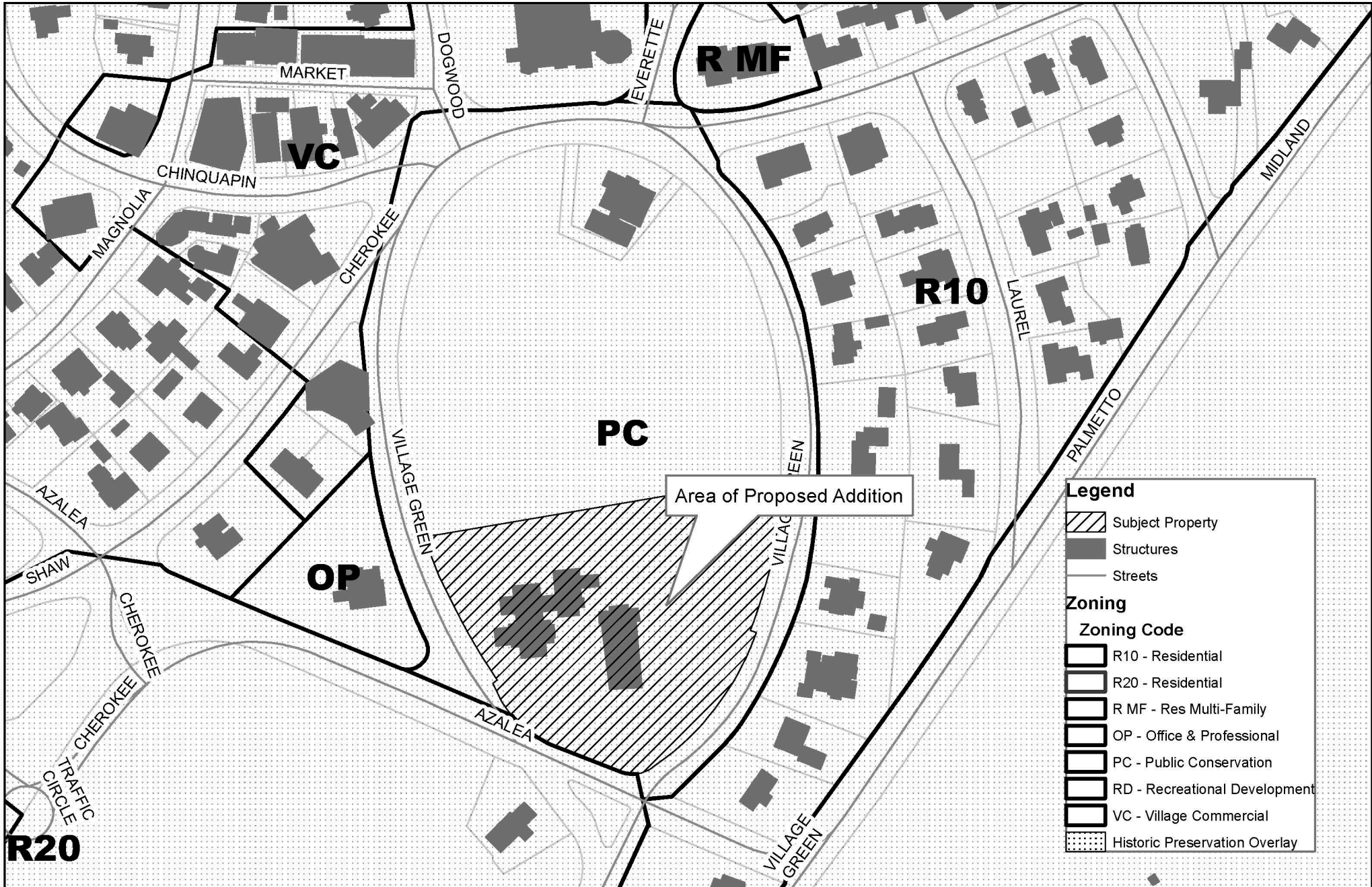
HERITAGE HALL

THE VILLAGE CHAPEL
PINEHURST, NC

DRAWN BY: DRB
CHECKED BY: DRB
DATE: 5.5.20
PROJECT #: XX

SHEET NUMBER
CD1
OF: 2

Area Zoning Map



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). PineHBase Map for Boards.mxd 5/28/2020

June 4, 2020
 Planning and Zoning Board
 Public Hearing for Conditional Rezoning





**DISCUSS AND CONSIDER A BUDGET AMENDMENT FOR FY 2021 FALL
AND SPRING TRAFFIC CIRCLE PLANTINGS.
ADDITIONAL AGENDA DETAILS:**

FROM:

Jeff Batton

CC:

Jeff Sanborn

DATE OF MEMO:

7/6/2020

MEMO DETAILS:

As you are aware, the N.C. Dept. of Transportation (DOT) is in a very strained financial position. As a consequence, the Village stepped in to ensure that the seasonal flower display around the Pinehurst traffic circle continued for the spring and summer of 2020.

DOT's financial position remains unchanged and in order to continue the plantings for the fall of 2020 and spring of 2021, the Village will need to fund and manage the planting project again. The requested budget amendment in the amount of \$25,000, if approved, would be used to fund the seasonal plantings at the traffic circle.

If DOT's funding position were to change mid-year (unlikely) and they are able pay for the spring plantings, then any unused Village funds from this amendment would be returned to the fund balance.

If Council wishes to proceed with the fall and spring plantings at the traffic circle, the budget ordinance attached would need to be approved.

Thanks.

ATTACHMENTS:

Description

▣ Ordinance 20-08

ORDINANCE #20-08:

AN ORDINANCE AMENDING THE ORDINANCE APPROPRIATING FUNDS FOR OPERATIONS OF THE VILLAGE OF PINEHURST FOR FISCAL YEAR 2021, REGARDING REVENUES AND EXPENDITURES OF THE GENERAL FUND FOR THE VILLAGE OF PINEHURST, NORTH CAROLINA (TRAFFIC CIRCLE PLANTINGS)

THAT WHEREAS, the North Carolina Department of Transportation (NCDOT) has historically coordinated and funded the seasonal plantings at the traffic circle located in Pinehurst; and

WHEREAS, the NCDOT notified the Village of Pinehurst that due to state departmental budgetary constraints, it will not be funding the scheduled fall and spring plantings during FY 2021; and

WHEREAS, the Village of Pinehurst desires to complete these projects this fiscal year; and

WHEREAS, funding for these planting projects was not included in the FY 2021 Budget when originally adopted;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina, in the regular meeting assembled this 14th day of July 2020, as follows:

SECTION 1. To amend the FY 2021 General Fund budget with regard to revenues and expenditures, the revenue and expenditure accounts are to be changed as follows:

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-20-420-5300	Contracted Services	\$ 25,000	
10-00-190-3905	Fund Balance Appropriated		\$ 25,000

SECTION 2. Copies of this budget amendment shall be furnished to the Clerk to the Village Council, Village Manager, and Financial Services Director for their direction and implementation.

THIS ORDINANCE passed and adopted this 14th day of July, 2020.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
John C. Strickland, Mayor

Attest:

Approved as to Form:

Beth Dunn, Village Clerk

Michael J. Newman, Village Attorney



**DISCUSS AND CONSIDER AN ORDINANCE REPEALING AN
ESTABLISHED ORDINANCE AND AMENDING THE MUNICIPAL CODE
FOR THE COMMUNITY APPEARANCE COMMISSION.
ADDITIONAL AGENDA DETAILS:**

FROM:

Beth Dunn

CC:

Jeff Sanborn

DATE OF MEMO:

7/8/2020

MEMO DETAILS:

In 1981 the Community Appearance Commission (CAC) was established by ordinance. When the Municipal Code was codified in 2011 the CAC became part of the municipal code as an organization of the Village, since the commission was established by ordinance. In 2016 the CAC was consolidated, by resolution, with the Beautification Committee and the Conservation Commission to create the Pinehurst Appearance Commission. Then in 2017, the Pinehurst Appearance Commission was dissolved by resolution.

The changes in the CAC over the years never repealed the establishing ordinance nor removed the organization from the Municipal Code. Therefore, attached is ordinance 20-09 for Council's consideration . This ordinance will repeal the establishing CAC ordinance, officially dissolving the CAC, and also amend Chapter 31 of the the Pinehurst Municipal Code by removing the CAC as an organization.

ATTACHMENTS:

Description

- ☐ Establishing CAC Ordinance and Amending Resolutions.
- ☐ Ordinance 20-09

12

AN ORDINANCE PROVIDING FOR THE CREATION OF A
COMMUNITY APPEARANCE COMMISSION FOR THE VILLAGE OF PINEHURST

BE IT ORDAINED AND ESTABLISHED by the Council of the Village of Pinehurst, Moore County, North Carolina in regular session assembled on the 16th day of November, 1981, as follows:

SECTION 1. That there be and hereby is created pursuant to North Carolina General Statute 160A-451, a special commission to be known as the Communtiy Appearance Commission for the Village of Pinehurst, Moore County, North Carolina.

SECTION 2. MEMBERSHIP - The Commission shall consist of seven members to be appointed by the Village Council for terms of three years, and shall meet once in every calendar month. Four members of the Commission shall constitute a quorum. All members shall be residents of the Planning and Zoning jurisdiction of the Village at the time of appointment and where possible, a majority of the members shall have had special training or experience in a design field, such as architecture, landscape design, horticulture, city planning or a closely related field. Members of the Commission may be reimbursed for actual expenses incidental to the performance of their duties, but shall serve without compensation. Membership of the Commission is declared to be an office that may be held concurrently with any other elected or appointed office, pursuant to Article VI, Section 9 of the Constitution.

SECTION 3. POWERS AND DUTIES - Pursuant to North Carolina General Statute 160A-452, the Commission, upon its appointment, shall make careful study of the visual problems and needs of the Village within its area of zoning jurisdiction and shall make any plans and

carry out any programs that will in accordance with the power herein granted, enhance and improve the visual quality and aesthetic characteristics of the Village. To this end, the Commission will have the following powers and duties:

- a. To initiate, promote, and assist in the implementation of programs of general community beautification in the Village.
- b. To seek to coordinate the activities of individuals, agencies, and organizations, public and private, whose plans, activities and programs bear upon the appearance of the Village.
- c. To provide leadership and guidance in matters of area or community design and appearance to individuals, and to public and private organizations and agencies.
- d. To make studies of the visual characteristics and problems of the Village including surveys and inventories of an appropriate nature, and to recommend standards and policies of design for the entire area, any portion or neighborhood thereof, or any project to be undertaken.
- e. To prepare both general and specific plans for the improved appearance of the Village. These plans may include the entire area or any part thereof, and may include private as well as public property. The plans shall set forth desirable standards and goals for the aesthetic enhancement of the Village or any part thereof within its area of planning and zoning jurisdiction, including public ways and areas, open spaces, and public and private buildings and projects.

f. To participate in any way deemed appropriate by the Village Council and specified in this ordinance, in the implementation of its plans. To this end, the Commission may:

1. Request, from the proper officials of any public agency or body, including agencies of the State and its political subdivisions, its plans for public buildings, facilities, or projects, to be located within the Village or its area of planning and zoning jurisdiction.
2. Review such plans and make recommendations regarding their aesthetic suitability to the Planning and Zoning Board of the Village, or to the Village Council. All plans shall be reviewed by the Commission in a prompt and expeditious manner and all recommendations with regard to any public project shall be made in writing. Copies of the recommendations shall be transmitted to the Planning and Zoning Board, the Village Council or other appropriate agency.
3. Formulate and recommend to the Planning and Zoning Board, the Village Council or other appropriate agency, the adoption or amendment of ordinances (including the Zoning Ordinance, Subdivision Regulations, and other local ordinances regulating the use of property) that will, in the opinion of the Commission, serve to enhance the appearance of the municipality and its surrounding areas.

4. Direct the attention of the Village Officials to needed enforcement of any ordinance that may in any way affect the appearance of the Village.
5. Seek voluntary adherence to the standards and policies of its plans.
6. Enter, in the performance of its official duties and at reasonable times, upon private lands and make examinations or surveys.
7. Promote public interest in and an understanding of its recommendations, studies, and plans, and to that end, prepare, publish and distribute to the public such studies and reports as will, in the opinion of the Commission, advance the cause of Village appearance.
8. Conduct public meetings and hearings, giving reasonable notice to the public thereof.

SECTION 4. VALIDITY - If any provision of this Ordinance is declared invalid, all other provisions thereof shall remain valid.

SECTION 5. This ordinance shall be deemed to supercede the Ordinance entitled, "An Ordinance Providing for the Creation of an Architectural Advisory and Community Appearance Commission for the Village of Pinehurst", enacted 20 October 1980.

SECTION 6. EFFECTIVE DATE - This Ordinance shall be in full force and effect as of the 16th day of November, 1981.

VILLAGE OF PINEHURST


John A. Goshorn
John A. Goshorn, Mayor

ATTEST:

Melodie F. Frye
Melodie F. Frye,
Village Clerk

APPROVED AS TO FORM:

W. L. Mount, Jr.
Village Attorney

RESOLUTION #16-23:

**A RESOLUTION ESTABLISHING THE PINEHURST APPEARANCE COMMITTEE
FOR THE VILLAGE OF PINEHURST, NORTH CAROLINA.**

THAT, WHEREAS, the Pinehurst Village Council established the Community Appearance Commission in 1981, the Beautification Committee in 2010, and the Conservation Commission in 2011 that have served the Village of Pinehurst well and made a significant impact on the quality of life; and

WHEREAS, over time the purview and responsibilities of Village's boards, committees, and commissions have evolved, requiring updates or reorganization; and

WHEREAS, the Pinehurst Village Council directed a group of volunteers and staff to explore opportunities for improving the effectiveness of these particular commissions and committees; and

WHEREAS, at the conclusion of the evaluation, it was determined to be in the best interest of the Village of Pinehurst to consolidate the Community Appearance Commission, Beautification Committee, and Conservation Commission into one volunteer committee.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled this 9th day of August, 2016, as follows:

SECTION 1. The Pinehurst Appearance Committee shall be officially established under the leadership of the Village Council of the Village of Pinehurst in accordance with the duties as defined in the attached "Exhibit A."

SECTION 2. The Pinehurst Appearance Committee is an advisory committee focused on implementing the Village's mission to promote, enhance, and sustain the quality of life for residents, businesses, and visitors through four focus areas of: Advisory, Outreach, Beautification, and Sustainability.

SECTION 3. The Pinehurst Appearance Committee shall consist of five (5) Council-appointed members including one Pinehurst Appearance Committee chairperson and four (4) subcommittee chairpersons. The subcommittees will be made up of non-appointed volunteers.

SECTION 4. All appointed members on the Pinehurst Appearance Committee shall be appointed by the Village Council. The terms of office for members shall be for three (3) years and two (2) years initially, and each subsequent term shall be for two (2) years. Terms on this committee are not subject to the term limit policy. Vacancies occurring for reasons other than the expiration of terms shall be filled by the Village Council as they occur for the period of the unexpired term.

SECTION 5. Upon adoption of this resolution, the Community Appearance Commission, Beautification Committee, and Conservation Commission shall no longer act as separate entities and the Greenway Wildlife Habitat Committee shall remain as organized and will be a non-appointed committee reporting to the Pinehurst Parks and Recreation Department.

SECTION 6. That this Resolution shall be in full force and effect from and after its date of adoption.

THIS RESOLUTION passed and adopted this 9th day of August.



VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: Nancy Roy Florillo
Nancy Roy Florillo, Mayor

Attest:

Lauren M. Craig
Lauren M. Craig, Village Clerk

Approved as to Form:

Michael J. Newman
Michael J. Newman, Village Attorney

Exhibit A



Pinehurst Appearance Committee

VOP Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.

Advisory

- Project advice
 - Provide advice to Village Council from an appearance perspective on selected major public projects impacting the Village including those found in the SOP.
 - Provides support to Village staff in development of public projects.
- Village ordinances
 - Offer advice to Village staff and others on certain amendments to the Pinehurst Development Ordinance and Pinehurst Municipal Code.
 - Offer advice to Village staff and others on the development of tree preservation ordinances and/or regulations.

Outreach

- Awards
 - Implement the Manning Beautification Award Program.
 - Develop other awards to recognize beautification efforts around Pinehurst.
- Grants
 - Promote and award Village grants for enhancements of public and private property.
- Workshops and Events
 - Conduct educational workshops and events for the public.
 - Maintain a presence at Village and community events to educate the public (i.e. Holly Arts and Crafts, parades, etc.)
- Communication
 - Collaborate with Village staff to distribute external communications to the public as outlined in the Village's External Communications Policy.
- Maintain status of Tree City USA
 - Promote and conduct annual Arbor Day celebration.

Exhibit A



Beautification

- Beautification Collaboration
 - Collaborate with local garden clubs, resort, neighborhoods, Pinehurst Business Partners, etc. on community beautification.
- Public Plantings
 - Work to enhance plantings in all public spaces.
- Holiday Decorations and Contest
 - Assist Village staff with holiday decorations as necessary.
 - Coordinate the homeowners decoration contest
 - Coordinate the downtown businesses' decoration plans.

Sustainability

- Sustainable Natural Resources
 - Investigate, implement, and evaluate opportunities for sustainable energy
 - Promote water conservation
 - Promote preservation of open space
 - Promote and support tree preservation, conservation, and management in coordination with Village staff.

*The **Greenway Wildlife Habitat Committee** would fall under the Parks and Recreation Department as a non-appointed committee.

RESOLUTION #17-24:

A RESOLUTION AMENDING THE PINEHURST APPEARANCE COMMITTEE AND SUBCOMMITTEES FOR THE VILLAGE OF PINEHURST, NORTH CAROLINA.

THAT, WHEREAS, the Pinehurst Village Council established the Pinehurst Appearance Committee on August 9, 2016 restructuring several established committees to better serve the Village of Pinehurst and made an impact on the quality of life; and

WHEREAS, on October 25, 2016 members were appointed to serve on the Pinehurst Appearance Committee and others were recruited to volunteer on the four subcommittees: Outreach, Beautification, Sustainability, and Advisory; and

WHEREAS, since the establishment, the responsibilities and purview of the Pinehurst Appearance Committee and its subcommittees have been under review by the volunteers, staff, and the Village Council to ensure a clear direction for the volunteers who dedicate their time to help the Village; and

WHEREAS, at the conclusion of the evaluation, it was determined to pursue a significant reorganization to be in the best interest of the Village of Pinehurst and its volunteers.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in a work session assembled this 12th day of September, 2017, as follows:

SECTION 1. The Pinehurst Appearance Committee shall no longer be an established committee for the Village of Pinehurst including the Outreach, Sustainability, and Advisory subcommittees.

SECTION 2. The volunteers of this committee and subcommittees shall be notified of the organizational change, shown great appreciation for their willingness to serve the Village of Pinehurst, and given the opportunity to volunteer with another committee.

SECTION 2. The Beautification Committee shall continue as a separate standing committee for the Village of Pinehurst and the remaining responsibilities of the Outreach subcommittee shall be consolidated into the Beautification Committee.

SECTION 3. The Beautification Committee shall have one Council-appointed member, the Chairperson, who will continue serving out their current term and every term after shall be for two (2) years. The Chairperson term on this committee is not subject to the term limit policy.

SECTION 6. That this Resolution shall be in full force and effect from and after its date of adoption.

THIS RESOLUTION passed and adopted this 12th day of September.



Attest:

Lauren M. Craig
Lauren M. Craig, Village Clerk

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: Nancy Roy Fiorillo
Nancy Roy Fiorillo, Mayor

Approved as to Form:

Michael J. Newman
Michael J. Newman, Village Attorney

ORDINANCE #20-09:

AN ORDINANCE REPEALING AN EXISTING ORDINANCE AND AMENDING CHAPTER 31, VILLAGE ORGANIZATIONS OF PINEHURST MUNICIPAL CODE.

WHEREAS, the Village Council of the Village of Pinehurst adopted Ordinance 81-12, dated November 16, 1981, establishing a special commission to be known as the Community Appearance Commission; and

WHEREAS, on September 13, 2011 the Village Council of the Village of Pinehurst adopted Ordinance 11-25 which adopted the general ordinances of the Village of Pinehurst as revised, amended, restated, codified, and compiled in book form and declared that these shall constitute the “Village of Pinehurst, North Carolina Municipal Code;” and

WHEREAS, on August 9, 2016 Village Council approved Resolution 16-23, to consolidate the Community Appearance Commission with the Beautification Committee and Conservation Commission to establish the Pinehurst Appearance Commission; and

WHEREAS, on September 12, 2017 Village Council approved Resolution 17-24, dissolving the Pinehurst Appearance Commission; and

WHEREAS, the Municipal Code will be subsequently amended from time to time as conditions warrant; and

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in the regular meeting assembled this 14th day of July, 2020 as follows:

SECTION 1. That Ordinance 81-12, which initially established the Community Appearance Commission, adopted November 16, 1981 is hereby repealed.

SECTION 2. That the following amendments be made to Chapter 31, Village Organizations, of the Pinehurst Municipal Code:

~~Community Appearance Commission~~

~~§ 31.01 CREATED:~~

~~There is hereby created, pursuant to G.S. § 160A-451, a special commission to be known as the Community Appearance Commission for the village.
(1986 Code, § 2-12.1) (Ord. passed 11-16-1981)~~

~~§ 31.02 MEMBERSHIP:~~

~~The Community Appearance Commission shall consist of up to 13 members to be appointed by the Village Council for terms of two years, and shall meet at least once in every calendar month unless proper notice is given for the cancellation of the regular~~

~~meeting. Fifty percent of the appointed members of the Commission shall constitute a quorum. Where possible, a majority of the members shall have had special training or experience in a design field, such as architecture, landscape design, horticulture, city planning or a closely related field. Members of the Commission may be reimbursed for actual expenses incidental to the performance of their duties, but shall serve without compensation. Membership on the Commission is declared to be an office that may be held concurrently with any other elected or appointed office, pursuant to Article VI, § 9 of the Constitution.~~

~~§ 31.03 POWERS AND DUTIES.~~

~~Pursuant to G.S. § 160A-452, the Community Appearance Commission, on its appointment, shall make careful study of the visual problems and needs of the village within its area of zoning jurisdiction and shall make any plans and carry out any programs that will, in accordance with the power herein granted, enhance and improve the visual quality and aesthetic characteristics of the village. To this end, the Commission will have the following powers and duties:~~

~~(A) To initiate, promote and assist in the implementation of programs of general community beautification in the village;~~

~~(B) To seek to coordinate the activities of individuals, agencies and organizations, public and private, whose plans, activities and programs bear upon the appearance of the village;~~

~~(C) To provide leadership and guidance in matters of area or community design and appearance to individuals and to public and private organizations and agencies;~~

~~(D) To make studies of the visual characteristics and problems of the village including surveys and inventories of an appropriate nature, and to recommend standards and policies of design for the entire area, any portion or neighborhood thereof or any project to be undertaken;~~

~~(E) To prepare both general and specific plans for the improved appearance of the village. These plans may include the entire area or any part thereof, and may include private as well as public property. The plans shall set forth desirable standards and goals for the aesthetic enhancement of the village or any part thereof within its area of planning and zoning jurisdiction, including public ways and areas, open spaces and public and private buildings and projects; and~~

~~(F) To participate in any way deemed appropriate by the Village Council and specified in this subchapter, in the implementation of its plans. To this end, the Commission may:~~

~~—(1) Request, from the proper officials of any public agency or body, including agencies of the state and its political subdivisions, its plans for public buildings, facilities or projects, to be located within the village or its area of planning and zoning jurisdiction;~~

~~—(2)— Review plans and make recommendations regarding their aesthetic suitability to the Planning and Zoning Board of the village, or to the Village Council. All plans shall be reviewed by the Commission in a prompt and expeditious manner and all recommendations with regard to any public project shall be made in writing. Copies of the recommendations shall be transmitted to the Planning and Zoning Board, the Village Council or other appropriate agency;~~

~~—(3)— Formulate and recommend to the Planning and Zoning Board, the Village Council or other appropriate agency, the adoption or amendment of ordinances (including the zoning ordinance, subdivision regulations and other local ordinances regulating the use of property) that will, in the opinion of the Commission, serve to enhance the appearance of the municipality and its surrounding areas;~~

~~—(4)— Direct the attention of the village officials to needed enforcement of any ordinance that may in any way affect the appearance of the village;~~

~~—(5)— Seek voluntary adherence to the standards and policies of its plans;~~

~~—(6)— Enter, in the performance of its official duties and at reasonable times, upon private lands and make examinations or surveys;~~

~~—(7)— Promote public interest in and an understanding of its recommendations, studies and plans, and to that end, prepare, publish and distribute to the public studies and reports as will, in the opinion of the Commission, advance the cause of village appearance; and~~

~~—(8)— Conduct public meetings and hearings, giving reasonable notice to the public thereof.~~

~~§ 31.04 DUTIES IN REGARD TO BUILDING PERMITS.~~

~~—(A)— The Community Appearance Commission shall review plans for new, remodeled or additions to residential and nonresidential properties as submitted to assess the aesthetics of construction relative to adjacent and neighborhood properties particularly as it concerns:~~

~~(1)— Exterior architectural features such as, but not limited to, colors, materials, elevations, sight lines, roofing, doors, windows and skylights, chimney, shutters and decks;~~

~~—(2)— Foundation landscaping; and~~

~~—(3)— Retention of trees and other natural growth on building site.~~

~~—(B)— The Commission will also review site plans for fences, swimming pools and accessory buildings as they relate to adjacent and neighborhood properties. These reviews will consider zoning restrictions, with special emphasis on aesthetic compatibility to the village and the immediate neighborhood.~~

~~—(C)— The Commission will publish the several documents necessary to carry out the review in an objective and professional manner. The documents will be available for review by interested parties at the Department of Planning and Inspections.~~

~~(D) If for any reason agreement is not reached in a reasonable time between the Commission and the contractor and/or home owner, it shall be the responsibility of the Commission to immediately advise the Village Planner. At that time, the established review procedure will be implemented.~~

~~§ 31.05 APPEALS.~~

~~—Appeals of the recommendations of the Community Appearance Commission shall be made in accordance with the Pinehurst Development Ordinance.~~

~~§ 31.06 ANNUAL REPORT.~~

~~—Pursuant to G.S. § 160A-454, the Community Appearance Commission shall, no later than April 15 of each year, submit to the village a written report of activities, a statement of expenditures, and budget request for the next fiscal year.~~

SECTION 3. That this Ordinance shall be and remain in full force and effect from and after the date of its adoption.

THIS ORDINANCE is passed and adopted this 14th day of July, 2020.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____

John C. Strickland, Mayor

Attest: _____

Approved as to Form: _____

Beth Dunn, Village Clerk

Michael J. Newman, Village Attorney



**DISCUSS AND CONSIDER A RESOLUTION GRANTING AN EASEMENT
TO VERIZON WIRELESS.**

ADDITIONAL AGENDA DETAILS:

FROM:

Jeff Batton

CC:

Jeff Sanborn

DATE OF MEMO:

7/6/2020

MEMO DETAILS:

Cellco, D/B/A Verizon Wireless, has requested a 25 year non-exclusive access and underground utility easement along the eastern edge of the Cannon Park property line between McIntyre Road and NC 211 for the purpose of establishing access to the County water tank property as well as to install underground cabling to the water tank. Verizon intends to place cellular antennas on top of the water tank to improve service in the hospital area of Pinehurst.

The location of the easement is actually an overlay of an existing easement with Moore County for access to the water tank property and has no impact on the current or future recreational use of the Cannon Park property.

A one-time fee of \$7,009 would be paid to the Village for the easement. This amount was calculated based on actual tax value less a reasonable discount for the property already being encumbered by an existing easement. The initial offer from Verizon was a one-time payment of \$500.

As the negotiated value of the easement is fair and reasonable and as cellular service provision would be enhanced for the hospital and residents in this part of Pinehurst, staff recommends acceptance of the terms and execution of the easement.

The attached resolution would provide the Village Manager the authority to execute the necessary documents to grant the easement.

ATTACHMENTS:

Description

- Resolution 20-25
- Exhibit A-Easement Document

RESOLUTION #20-25:

A RESOLUTION GRANTING A UTILITY EASEMENT TO CELCO PARTNERSHIP D/B/A VERIZON WIRELESS FOR THE VILLAGE OF PINEHURST, NORTH CAROLINA.

WHEREAS, the Cellco Partnership D/B/A Verizon Wireless has requested a non-exclusive access and underground utility easement on property owned by the Village of Pinehurst, as described in “Exhibit A”; and

WHEREAS, the Cellco Partnership D/B/A Verizon Wireless has requested such easement from the Village of Pinehurst for installation and maintenance of underground utilities; and

WHEREAS, the Village has determined that granting the requested easement is in the best interest of the citizens of Pinehurst; and

WHEREAS, G.S. 160A-273 provides municipalities the authority to grant easements over, though, under, or across any of its property.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina, in the regular meeting assembled this 14th day of July, 2020, as follows:

SECTION 1. The requested easement as depicted on “Exhibit A” is hereby granted to the Cellco Partnership D/B/A Verizon Wireless.

SECTION 2. The Village Manger is hereby authorized to execute any and all documents necessary to facilitate the easement.

SECTION 3. Copies of this resolution shall be furnished to the Village Clerk and the Village Manager and Assistant Village Manager for Operations for their direction and implementation.

THIS RESOLUTION passed and adopted this 14th day of July, 2020.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
John C. Strickland, Mayor

Attest:

Approved as to Form:

Beth Dunn Village Clerk

Michael J. Newman, Village Attorney

EXHIBIT A

MOORE HOSPITAL (EASEMENT)

This Instrument Was Prepared By
and When Recorded Mail to:

Jeffrey M. Clark
Miller & Martin, PLLC
401 Commerce Street, Suite 720
Nashville, TN 37219

STATE OF NORTH CAROLINA	)	
	)	UTILITY EASEMENT
COUNTY OF MOORE	)	AGREEMENT

UTILITY EASEMENT AGREEMENT

THIS UTILITY EASEMENT AGREEMENT (the "Agreement") is made and executed between **VILLAGE OF PINEHURST, a North Carolina Municipal Corporation**, with a mailing address of 395 Magnolia Road, Pinehurst, North Carolina 28374, hereinafter designated GRANTOR, and **CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS** with its principal offices at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920, hereinafter designated GRANTEE.

WHEREAS, Grantor is the owner of certain real property situated in Moore County, North Carolina, shown on the Tax Map of Moore County as a portion of Parcel ID 00029686, and further described in Deed Book 535 at Page 33, as recorded in the Register's Office of Moore County, North Carolina (the "Grantor Property"); and

WHEREAS, pursuant to a lease agreement between the COUNTY OF MOORE ("Lessor") and Grantee as Lessee (the "Lease Agreement"), Grantee is leasing from Lessor certain property (the "Land Space") on a tract adjoining the Grantor Property, for the purpose of constructing, maintaining and operating a telecommunications facility; and

WHEREAS, GRANTEE desires to obtain from GRANTOR, and GRANTOR desires to grant to GRANTEE, upon the terms and conditions stated in this Agreement, non-exclusive easements in and to a portion of GRANTOR's property for installation and maintenance of underground utilities, including but not limited to fiber along (i) a forty foot (40') wide easement extending from SHORT ROAD to the Land Space and (ii) a thirty foot (30') wide easement extending from YADKIN ROAD to the Land Space.

WITNESSETH:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that GRANTOR for and in consideration of the sum set forth in Section 3 below, and other good and valuable consideration as stated herein, paid by GRANTEE to GRANTOR, has granted, bargained, sold and released, and by these Presents does grant, bargain, sell and release, unto the GRANTEE, its successors and assigns, non-exclusive easements (the "Easements"), for the purpose of installation of fiber and utilities, as well installation and maintenance of utility wires, cables, conduits, and pipes underground and within the Easements as substantially described on **Exhibits A and B** attached hereto and incorporated herein.

PROVISIONS

1. It is the intent of this Agreement to convey to GRANTEE non-exclusive underground easements for the purposes as set forth herein through the Easements. However, to the extent the grant made hereby shall fail in any respect, or is held to be invalid, in whole or in part, including but not limited to the effectiveness of the grant made hereby, this Agreement shall continue in full force and effect to the full extent of GRANTOR's interest in and to any part of the Easements. GRANTEE acknowledges the existence of additional easement rights over Easements and hereby agrees to take commercially reasonable steps to cause no harm to any improvements existing within the Easements.
2. GRANTEE, its successors, assigns, agents, independent contractors, subtenants, licensees, tenants, utility providers, and invitees shall have the use of the Easements as described herein for the purpose of underground installation and maintenance through the Easement of such fiber lines, utility wires, cables, conduits, and pipes that are directly related to GRANTEE's operations. GRANTEE has GRANTOR's consent for all necessary utility installation activities including, but not limited to trenching, or boring.
3. As consideration for the rights granted herein, GRANTEE shall pay to GRANTOR a one-time lump sum rent payment of \$7,009.00 within ninety (90) days of the full execution of this Agreement.
4. GRANTEE shall pay for all costs incurred in connection with any improvements desired by GRANTEE within the Easements. GRANTEE will promptly restore and repair the Grantor Property upon completion of any improvement made by GRANTEE or damages attributed to GRANTEE during the term of this Agreement

5. To the extent required by any public utility or fiber provider, GRANTOR agrees to execute and deliver an easement agreement covering the easement area directly with the public utility or fiber provider on the form which may be required by the public utility or fiber provider.
6. The term of this Agreement shall be equal to and shall correspond with the term of the Lease Agreement entered into between GRANTEE and LESSOR as such Agreement may be extended or amended from time to time. Upon the termination of the Lease Agreement, this Agreement shall terminate ninety (90) days thereafter. Upon termination of this Agreement, GRANTEE shall promptly remove all of GRANTEE's improvements from the Easement and restore the Easement to its original condition.
7. GRANTOR covenants that GRANTOR is seized of good and sufficient title and interest to the Easement and has full authority to enter into and execute this Agreement. GRANTOR further covenants that there are no other liens, judgments or impediments of title on the Easement or affecting GRANTOR's title to the same and that there are no covenants, easements or restrictions which prevent the use of the Easements by GRANTEE as set forth above.
8. GRANTEE shall indemnify, defend, and hold GRANTOR harmless from and against any and all claims arising in connection with or attributable to loss of life, personal injury, damage to property or business, or any other loss, illness, or injury arising out of GRANTEE'S use of the Easements by any employee, agent, contractor, invitee, or other person acting on behalf of GRANTEE, unless caused or materially contributed to by GRANTOR.
9. GRANTEE shall procure and maintain throughout the term of this Agreement commercial general liability insurance, with limits of two million dollars (\$2,000,000) combined single limit per occurrence for bodily injury, (including death) and property damage each occurrence.
10. GRANTEE shall conduct its business in compliance with all applicable laws governing the protection of the environment or employee health and safety (collectively, "EH&S Laws"). GRANTEE shall indemnify and hold harmless the GRANTOR from claims to the extent resulting from GRANTEE's violation of any applicable EH&S Laws or to the extent that GRANTEE causes a release of any regulated substance to the environment. GRANTOR shall indemnify and hold harmless GRANTEE from all claims resulting from a violation of any applicable EH&S Laws associated with the Grantor Property except to the extent resulting from the activities of GRANTEE. The parties recognize that the Easements are only a small portion of GRANTOR's property and that GRANTEE shall not be responsible for any environmental condition or issue except to the extent resulting from GRANTEE's specific activities and responsibilities. In the event that GRANTEE encounters any hazardous substances that do not result from GRANTEE'S activities and if GRANTEE desires to remove at its own cost all or some the hazardous substances or materials (such

as soil) containing those hazardous substances, GRANTOR agrees to sign any necessary waste manifest associated with the removal, transportation and/or disposal of such substances.

11. It is a "Default" if (i) either party fails to comply with this Agreement and does not remedy the failure within 30 days after written notice by the other party or, if the failure cannot reasonably be remedied in such time, if the failing party does not commence a remedy within the allotted 30 days and diligently pursue the cure to completion within 90 days after the initial written notice. In the event of a Default, without limiting the non-defaulting party in the exercise of any right or remedy which the non-defaulting party may have by reason of such default, the non-defaulting party may terminate this Agreement and/or pursue any remedy now or hereafter available to the non-defaulting party under the laws or judicial decisions of the State in which the Easements are located.
12. It is agreed and understood that this Agreement contains all agreements, promises and understandings between GRANTOR and GRANTEE and that no verbal or oral agreements, promises or understandings shall be binding upon either GRANTOR or GRANTEE in any dispute, controversy or proceeding at law, and any addition, variation or modification to this Agreement shall be void and ineffective unless made in writing and signed by the parties hereto.
13. This Agreement and the performance thereof shall be governed, interpreted, construed, and regulated by the laws of the State in which the Easements are located.
14. Any notices regarding this Agreement must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested or by commercial courier, provided the courier's regular business is delivery service and provided further that it guarantees delivery to the addressee by the end of the next business day following the courier's receipt from the sender, addressed as follows (or any other address that the party to be notified may have designated to the sender by like notice):

GRANTOR: Village of Pinehurst
395 Magnolia Road, Pinehurst
North Carolina 28374

GRANTEE: Cellco Partnership
d/b/a Verizon Wireless
180 Washington Valley Road
Bedminster, New Jersey 07921
Attention: Network Real Estate

Notice shall be effective upon actual receipt or refusal as shown on the receipt obtained pursuant to the foregoing.

15. This Agreement may be sold, assigned or transferred by GRANTEE without any approval

or consent of GRANTOR to GRANTEE's principal, affiliates, subsidiaries of its principal or to any entity which acquires all or substantially all of GRANTEE's assets in the market defined by the Federal Communications Commission in which the Easements are located by reason of a merger, acquisition or other business reorganization. As to other parties, this Agreement may not be sold, assigned or transferred without the written consent of GRANTOR, which such consent will not be unreasonably withheld, delayed or conditioned. No change of stock ownership, partnership interest or control of GRANTEE or transfer upon partnership or corporate dissolution of GRANTEE shall constitute an assignment hereunder.

16. This Agreement shall extend to and bind the heirs, personal representatives, successors and assigns of the parties hereto.

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the Easement belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all the interests, rights, and privileges herein granted in and to the Easements before described unto GRANTEE, its successors and assigns, for the term as stated herein, it being agreed that said Easements shall run with and be appurtenant to the Land Space and the leasehold interest therein of GRANTEE.

GRANTOR does hereby bind GRANTOR and GRANTOR's heirs, successors or executors and administrators, to warrant and forever defend all and singular the said Easements unto GRANTEE and GRANTEE'S successors and assigns against GRANTOR and GRANTOR's heirs and against every person whomsoever lawfully claiming or to claim the same, or any part thereof. Any reference in this instrument to the plural shall include the singular, and vice versa. Any reference to one gender shall include the others; including the neuter. Such words of inheritance shall be applicable as are required by the gender of GRANTEE or GRANTOR. The designation GRANTOR and GRANTEE as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, GRANTOR and GRANTEE have executed this Agreement under seal effective as of the _____ day of _____ 2020.

GRANTOR:

**VILLAGE OF PINEHURST, a North
Carolina Municipal Corporation**

By: _____

Print Name: _____

Print Title: _____

Date: _____

GRANTEE:

**CELLCO PARTNERSHIP d/b/a Verizon
Wireless**

By: _____

Eric A. Mann
Director-Network Field Engineering

Date: _____

STATE OF NORTH CAROLINA)

COUNTY OF _____)

I, the undersigned, a notary public in and for _____ County, North Carolina, do hereby certify that _____(insert name of signatory), the _____(insert title), of VILLAGE OF PINEHURST, known to me to be the same person whose name is subscribed to the foregoing UTILITY EASEMENT AGREEMENT, appeared before me this day in person and acknowledged that, pursuant to his/her authority, he/she signed the said Memorandum as his/her free and voluntary act on behalf of the named Grantor entity, for the uses and purposes therein stated.

Given under my hand and seal this ____ day of _____, 2020.

[NOTARY SEAL]

Notary Public

My commission expires _____

STATE OF NORTH CAROLINA)

COUNTY OF MECKLENBURG)

I, the undersigned, a notary public in and for _____ County, North Carolina, do hereby certify that ERIC A. MANN, Director-Network Field Engineering of CELLCO PARTNERSHIP d/b/a Verizon Wireless, known to me to be the same person whose name is subscribed to the foregoing UTILITY EASEMENT AGREEMENT , appeared before me this day in person and acknowledged that, pursuant to his authority, he signed the said Memorandum as his free and voluntary act on behalf of the named Grantee entity, for the uses and purposes therein stated.

Given under my hand and seal this ____ day of _____, 2020.

[NOTARY SEAL]

Notary Public

My commission expires _____

EXHIBIT A (Page 1 of 2)

WRITTEN DESCRIPTION OF EASEMENTS

GRANTEE 30' NON-EXCLUSIVE UTILITY EASEMENT

Together with a Grantee 30-foot wide Non-Exclusive Utility Easement lying and being in Mineral Springs Township, Moore County, North Carolina, being a part of the lands conveyed to Village of Pinehurst by North Carolina General Warranty Deed recorded in Deed Book 535 Page 33 in the Office of the Register of Deeds of Moore County, being more particularly described as follows:

To find the point of beginning, commence at a ½-inch rebar found at the easternmost corner of the lands conveyed to the County of Moore by Warranty Deed recorded in Deed Book 1838 Page 172 in the Office of the Register of Deeds of Moore County, said rebar having a North Carolina Grid North, NAD83, Value of N: 529827.5700, E: 1862082.8646; thence along the northeast line of said Moore County lands, North 40°49'17" West, 30.04 feet to a point; Thence leaving said northeast line and running, North 46°20'50" East, 100.83 feet to a point on the southwesterly right-of-way line of Yadkin Road (also known as North Carolina Highway 211); Thence along said southwesterly right-of-way line of Yadkin Road, South 71°49'07" East, 34.03 feet to a concrete monument found; Thence leaving said southwesterly right-of-way line of Yadkin Road and running along the southeasterly line of said Village of Pinehurst lands, South 46°20'50" West, 118.38 feet to a ½-inch rebar found and the POINT OF BEGINNING.

Said easement contains 0.0755 acres (3,288 square feet), more or less, as shown in a survey prepared for Verizon Wireless by POINT TO POINT LAND SURVEYORS, INC. dated June 16, 2017, and last revised January 20, 2020.

GRANTEE 40' NON-EXCLUSIVE ACCESS & UTILITY EASEMENT

Together with a Grantee 40-foot wide Non-Exclusive Access and Utility Easement lying and being in Mineral Springs Township, Moore County, North Carolina, being a part of the lands conveyed to Village of Pinehurst by North Carolina General Warranty Deed recorded in Deed Book 535 Page 33 in the Office of the Register of Deeds of Moore County, being more particularly described as follows:

To find the point of beginning, commence at a ½-inch rebar found at the easternmost corner of the lands conveyed to the County of Moore by Warranty Deed recorded in Deed Book 1838 Page 172 in the Office of the Register of Deeds of Moore County, said rebar having a North Carolina Grid North, NAD83, Value of N: 529827.5700, E: 1862082.8646; thence along the southeast line of said Moore County lands, South 46°03'41" West, 208.92 feet to a point and the true POINT OF BEGINNING; Thence leaving said Moore County lands and running along the southeast line of said Village of Pinehurst lands, South 46°13'17" West, 111.90 feet to a concrete monument found

EXHIBIT A (Page 2 of 2)

on the northeast right-of-way line of Short Road (having a 60-foot right-of-way); Thence along said northeast right-of-way line of Short Road, North 41°04'31" West, 40.04 feet to a ½-inch rebar found; Thence leaving said northeast right-of-way line of Short Road and running, North 46°13'17" East, 112.02 feet to a point on the southwest line of said Moore County lands; Thence along said southwest line, South 40°53'51" East, 40.05 feet to a point and the POINT OF BEGINNING.

Said easement contains 0.1028 acres (4478 square feet), more or less, as shown in a survey prepared for Verizon Wireless by POINT TO POINT LAND SURVEYORS, INC. dated June 16, 2017, and last revised January 20, 2020.

SURVEY OF EASEMENT
(Grantee is referred to hereon as Lessee)



