



**VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF MARCH 11, 2014
ASSEMBLY HALL
395 MAGNOLIA ROAD
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. Public Safety Reports

Police Department
Fire Department

B. Resolution 14-10 Appointing Chairman for the Beautification Committee (Rowell).

C. Resolution 14-11 Re-appointments to the Pinehurst Beautification Committee

End of Consent Agenda.

4. Dogwood Branch of the Pinehurst Garden Club proposal for Woman's Exchange triangle landscaping.

5. Discussion with the leaders of MOAA regarding 2014 Veterans Weekend.

6. Discussion with LandCore on Village Place Development.

7. Discuss and consider Ordinance 14-08: An Ordinance Amending the Pinehurst Development Ordinance (Retirement Community as a Permitted Use in Office and Professional Zoning District).

8. Discuss and consider Ordinance 14-09: An Ordinance Amending the Official Pinehurst Zoning Map as it pertains to the rezoning of a certain tract of land located at 4176 Murdocksville Road.

9. Other Business.

10. Comments from Attendees.

11. Motion to Adjourn.



History, Charm, & Southern Hospitality.

Vision

The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions, enhanced by a unique combination of cultural arts and recreational activities.

Mission

Preserve and enhance the community's character and ambience by guiding growth, managing change, and providing services in a financially responsible manner.

Values

Competent
Courteous
Professional
Responsive



PUBLIC SAFETY REPORTS

ADDITIONAL AGENDA DETAILS:

Police Department
Fire Department

ATTACHMENTS:

Description

- 📎 [Police Report](#)
- 📎 [Fire Report](#)

Incident IBR Reported Offenses Month To Month Comparison

Pinehurst Police Department February 2014 - February 2013

Part I Offenses	February 2013	February 2014	+/-	Percent Changed	Year-To-Date 2013	Year-To-Date 2014	+/-	Percent Changed
Murder	0	0	0	0%	0	0	0	0%
Rape	0	0	0	0%	0	0	0	0%
Robbery	0	1	1	-	1	1	0	0%
Commercial	0	1	1	-	1	1	0	0%
Individual	0	0	0	0%	0	0	0	0%
Assault	0	0	0	0%	0	0	0	0%
Violent Total:	0	1	1	-	1	1	0	0%
Burglary	0	0	0	0%	0	0	0	0%
Residential	0	0	0	0%	0	0	0	0%
Non-Residential	0	0	0	0%	0	0	0	0%
Commercial	0	0	0	0%	0	0	0	0%
Other	0	0	0	0%	0	0	0	0%
Larceny	8	3	-5	-63%	14	12	-2	-14%
Auto Theft	0	0	0	0%	0	0	0	0%
Arson	0	0	0	0%	0	0	0	0%
Property Total:	8	3	-5	-62%	14	12	-2	-14%
Part I Total:	8	4	-4	-50%	15	13	-2	-13%

Part II Offenses	February 2013	February 2014	+/-	Percent Changed	Year-To-Date 2013	Year-To-Date 2014	+/-	Percent Changed
Drug	4	1	-3	-75%	10	11	1	10%
Assault Simple	2	2	0	0%	3	4	1	33%
Forgery/Counterfeit	0	1	1	-	0	1	1	-
Fraud	7	2	-5	-71%	8	6	-2	-25%
Embezzlement	0	0	0	0%	0	0	0	0%
Stolen Property	1	0	-1	-100%	1	0	-1	-100%
Vandalism	7	1	-6	-86%	8	7	-1	-13%
Weapons	0	0	0	0%	0	1	1	-
Prostitution	0	0	0	0%	0	0	0	0%
All Other Sex Offenses	1	0	-1	-100%	1	0	-1	-100%
Gambling	0	0	0	0%	0	0	0	0%
Offenses Against Family/Children	0	0	0	0%	0	0	0	0%
D.W.I.	1	1	0	0%	1	4	3	300%
Liquor Law Violation	0	0	0	0%	0	2	2	-
Disorderly Conduct	2	0	-2	-100%	2	1	-1	-50%
Obscenity	0	0	0	0%	0	0	0	0%
Kidnap	0	0	0	0%	0	0	0	0%
All Other Offenses	12	4	-8	-67%	21	35	14	67%
Part II Total:	37	12	-25	-68%	55	72	17	31%
Incident Total:	45	16	-29	-64%	70	85	15	21%

Arrest IBR Reported Offenses Month To Month Comparison

Pinehurst Police Department February 2014 - February 2013

Part I Offenses	February 2013	February 2014	+/-	Percent Changed	Year-To-Date 2013	Year-To-Date 2014	+/-	Percent Changed
Murder	0	0	0	0%	0	0	0	0%
Rape	0	0	0	0%	0	0	0	0%
Robbery	0	0	0	0%	0	0	0	0%
Commercial	0	0	0	0%	0	0	0	0%
Individual	0	0	0	0%	0	0	0	0%
Assault	0	0	0	0%	1	0	-1	-100%
Violent Total:	0	0	0	0%	1	0	-1	-100%
Burglary	0	0	0	0%	0	0	0	0%
Residential	0	0	0	0%	0	0	0	0%
Non-Residential	0	0	0	0%	0	0	0	0%
Commercial	0	0	0	0%	0	0	0	0%
Other	0	0	0	0%	0	0	0	0%
Larceny	2	1	-1	-50%	3	2	-1	-33%
Auto Theft	0	0	0	0%	0	0	0	0%
Arson	0	0	0	0%	0	0	0	0%
Property Total:	2	1	-1	-50%	3	2	-1	-33%
Part I Total:	2	1	-1	-50%	4	2	-2	-50%

Part II Offenses	February 2013	February 2014	+/-	Percent Changed	Year-To-Date 2013	Year-To-Date 2014	+/-	Percent Changed
Drug	9	2	-7	-78%	15	14	-1	-7%
Assault Simple	3	0	-3	-100%	3	2	-1	-33%
Forgery/Counterfeit	0	1	1	-	0	1	1	-
Fraud	1	3	2	200%	1	5	4	400%
Embezzlement	0	0	0	0%	0	0	0	0%
Stolen Property	2	1	-1	-50%	2	1	-1	-50%
Vandalism	0	0	0	0%	1	0	-1	-100%
Weapons	0	1	1	-	1	2	1	100%
Prostitution	0	0	0	0%	0	0	0	0%
All Other Sex Offenses	0	0	0	0%	0	0	0	0%
Gambling	0	0	0	0%	0	0	0	0%
Offenses Against Family/Children	0	0	0	0%	0	0	0	0%
D.W.I.	7	7	0	0%	11	10	-1	-9%
Liquor Law Violation	0	0	0	0%	0	2	2	-
Disorderly Conduct	1	0	-1	-100%	2	1	-1	-50%
Obscenity	0	0	0	0%	0	0	0	0%
Kidnap	0	0	0	0%	0	0	0	0%
All Other Offenses	7	18	11	157%	18	34	16	89%
Part II Total:	30	33	3	10%	54	72	18	33%
Arrest Total:	32	34	2	6%	58	74	16	28%



HISTORY, CHARM, AND SOUTHERN HOSPITALITY_____

SUMMARY FOR THE MONTH OF FEBRUARY 2014

SUMMARY OF INCIDENT CALLS

TYPE OF INCIDENT	NUMBER THIS MONTH	NUMBER YTD	NUMBER THIS MONTH LAST YEAR	NUMBER YTD LAST YEAR	PERCENTAGE YTD
Fire	4	6	2	4	50%
Overpressure Rupture, Explosion, Overheat - no fire	1	1	0	0	100%
Rescue & EMS Incidents	25	33	6	13	154%
Hazardous Conditions - no fire	16	27	4	29	-7%
Service Call	9	38	18	36	6%
Good Intent Call	22	54	21	46	17%
False Alarm & False Call	10	29	8	20	45%
Severe Weather & Natural Disaster	0	0	0	0	0%
Special Incident Type	0	1	0	0	100%
TOTAL INCIDENTS	87	189	59	148	28%

SUMMARY OF INSPECTION

TYPE OF INSPECTIONS	NUMBER THIS MONTH	NUMBER YTD	NUMBER THIS MONTH LAST YEAR	NUMBER YTD LAST YEAR	PERCENTAGE YTD
Residential	9	14	6	11	27%
Residential New Systems	0	0	0	0	0%
Residential Fire Sprinkler	0	4	0	0	400%
Commercial	29	48	20	46	4%
Plan Review/Site Inspections	1	3	2	3	0%
Reinspection	22	44	17	21	110%
Occupancy Certificates	0	0	0	0	0%
TOTAL INSPECTIONS	61	113	45	81	40%
Violations Found:	53	104	6	43	142%
YTD Violations to be Corrected:		51		37	
YTD Violations Corrected:		22		34	
Correction Percentage:		43%		92%	

March 3, 2014



J. Carlton Cole, Fire Chief

FIRE DEPARTMENT

395 Magnolia Road • Pinehurst, NC 28374 • Telephone (910) 295-5575 • Fax (910) 295-4861 • www.vopnc.org



RESOLUTION 14-10 APPOINTING CHAIRMAN FOR THE BEAUTIFICATION COMMITTEE (ROWELL).

ADDITIONAL AGENDA DETAILS:

DATE OF MEMO:

3/4/2014

MEMO DETAILS:

Molly Rowell has agreed to serve as the Chairman for the Beautification Committee if Council so chooses to appoint her to fill the vacancy. Molly has served on the Beautification Committee since March 26, 2013 and her term will end on March 31, 2015.

ATTACHMENTS:

Description

📎 [Resolution 14-10](#)

RESOLUTION #14-10:

**A RESOLUTION APPOINTING A CHAIRMAN FOR THE VILLAGE OF PINEHURST
BEAUTIFICATION COMMITTEE (ROWELL).**

THAT WHEREAS, on the 16th day of November, 2010, the Village of Pinehurst established a Village of Pinehurst Beautification Committee by Resolution #10-35; and

WHEREAS, the terms of the current Beautification Committee Co-Chairmen Mr. and Mrs. Bart O'Connor have ended; and

WHEREAS, the Village Council of the Village of Pinehurst is desirous of making an appointment to fill the vacant seat of Chairman of the Beautification Committee;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled this 11th day of March, 2014, as follows:

SECTION 1. That the following appointment is hereby made to the Pinehurst Beautification Committee for the term indicated:

Ms. Molly Rowell shall be appointed as Chairman of the Pinehurst Beautification Committee, to serve at the pleasure of the Council until the end of her term on March 31, 2015.

SECTION 2. That the appointee shall continue serving until a replacement is appointed and qualified.

THIS RESOLUTION passed and adopted this 11th day of March, 2014.

(Municipal Seal)

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

Approved as to Form:

Lauren M. Craig, Village Clerk

Michael J. Newman, Village Attorney



RESOLUTION 14-11 RE-APPOINTMENTS TO THE PINEHURST BEAUTIFICATION COMMITTEE

ADDITIONAL AGENDA DETAILS:

DATE OF MEMO:

3/5/2014

MEMO DETAILS:

The terms of Mary Hall Koontz, Linda Tucker, Diane Halleen, Marylyn Bonville, Virginia Fallon, and Kim Gilley have expired for the Beautification Committee and they are all interested in being reappointed for a new term.

ATTACHMENTS:

Description

📎 [Resolution 14-11](#)

RESOLUTION #14-11:

**A RESOLUTION REGARDING RE-APPOINTMENTS TO THE
VILLAGE OF PINEHURST BEAUTIFICATION COMMITTEE.**

THAT WHEREAS, on the 16th day of November, 2010, the Village of Pinehurst established a Village of Pinehurst Beautification Committee by Resolution #10-35; and

WHEREAS, the terms of Mary Hall Koontz, Linda Tucker, Diane Halleen, Marylyn Bonville, Virginia Fallon, and Kim Gilley have expired; and

WHEREAS, Ms. Koontz, Ms. Tucker, Ms. Halleen, Ms. Bonville, Ms. Fallon, Ms. Gilley and the Village Council of Pinehurst are desirous of their continuing to serve as members of the Beautification Committee;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of Pinehurst, North Carolina in a regular meeting assembled this 11th day of March, 2014, as follows:

SECTION 1. That the following re-appointments are hereby made to the Village of Pinehurst Beautification Committee for the terms indicated:

Ms. Koontz, Ms. Tucker, Ms. Halleen, Ms. Bonville, Ms. Fallon, Ms. Gilley are re-appointed as members of the Village of Pinehurst Beautification Committee, said terms to expire March 31, 2016.

SECTION 2. That the appointees shall continue serving until replacements are appointed and qualified.

THIS RESOLUTION passed and adopted this 11th day of March, 2014.

(Municipal Seal)

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

Approved as to Form:

Lauren M. Craig, Village Clerk

Michael J. Newman, Village Attorney



DOGWOOD BRANCH OF THE PINEHURST GARDEN CLUB PROPOSAL FOR WOMAN'S EXCHANGE TRIANGLE LANDSCAPING.

ADDITIONAL AGENDA DETAILS:

FROM:

Jeff Batton

DATE OF MEMO:

3/3/2014

MEMO DETAILS:

The Dogwood Branch of the Pinehurst Garden Club has proposed a plan to re-landscape the triangle in front of the Woman's Exchange. The existing landscape in this area was last done in the late 1990's.

The landscape plan (attached) they have developed takes into consideration the Village's planting guide and is in keeping with the types of plants recommended. Sight distances for traveler safety were also taken into account.

Plants of varying heights, textures and seasonal color are all represented and the Landscape Narrative (attached) details the plant selections complete with pictures.

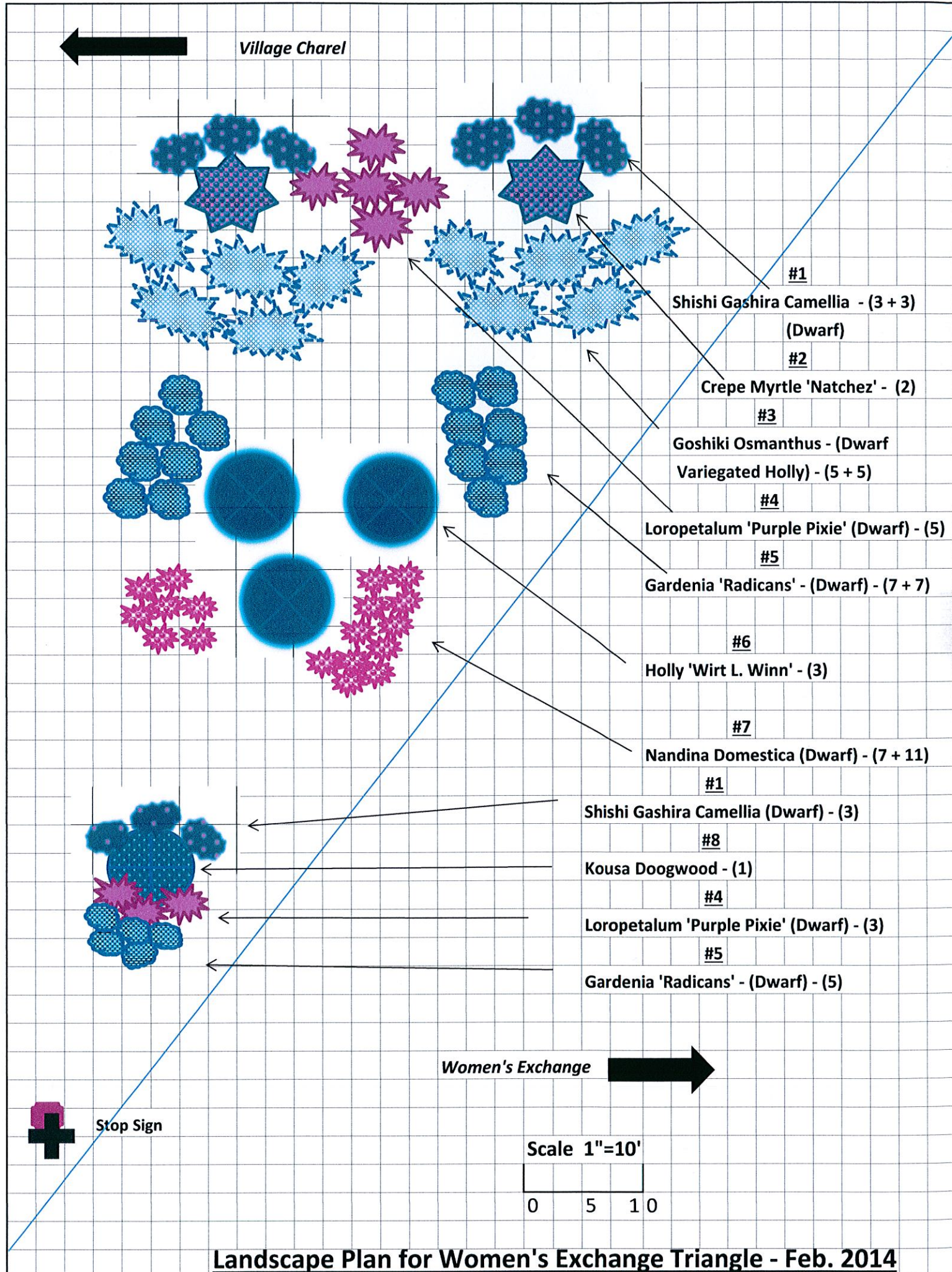
Representatives of the Dogwood Branch of the Pinehurst Garden Club will be on hand at the March 11 Council Meeting to present their plan and seek Council approval per our Right-of-Way Alteration Policy.

Thanks.

ATTACHMENTS:

Description

▢ [Landscapae plan](#)



Landscape Plan for Women's Exchange Triangle - Feb. 2014



DISCUSSION WITH THE LEADERS OF MOAA REGARDING 2014 VETERANS WEEKEND.

ADDITIONAL AGENDA DETAILS:

DATE OF MEMO:

3/4/2014

MEMO DETAILS:

Mr. John Boesch and the leaders of MOAA asked for an opportunity to speak with the Village Council about supporting the 2014 Veterans Weekend, and the primary fundraiser, the Patriotic Pops Concert. See attachments for the history on the weekend events and the poster promoting the concert.

ATTACHMENTS:

Description

- ☐ [History of Veterans Weekend](#)
- ☐ [Veterans Concert Poster](#)

THE HISTORY OF VETERANS WEEKEND

In 2013, the Sandhills Chapter of Military Officers Association of America (MOAA) narrowed its programming to focus more effort on assisting the more than 10,000 military veterans in Moore County. As we got closer to the issue, we realized how challenging and how important it was to not only help the veterans needing assistance, but to focus more attention on veteran's issues in Moore County.

MOAA knew that one important way to help was to provide more funding for the organizations in Moore County that serve our veterans. We began to develop two event concepts that we believed would generate funds. The lead public effort was a Patriotic Pops Concert.

To assure the concert delivered maximum financial benefit to Moore County veterans, MOAA approached Pinehurst, Southern Pines and Aberdeen for equal amounts of financial support. Our goal was to cover estimated cost so that every penny of ticket sales and donations would be available for the veteran service organizations in Moore County.

Thanks to your generosity, that was accomplished...and so much more.

The work on the concert spawned other events, and contributed greatly to the goal of focusing substantial attention on veterans in Moore County and their needs. Your support spawned the first Veterans Day Parade in Moore County in recent memory. It also led to the creation of an umbrella concept for celebrating veterans – Veterans Weekend.

Veterans Weekend was made official by a joint proclamation of the mayors of Pinehurst, Southern Pines and Aberdeen. That amped-up the interest in and support for the event(s) among the area media – so very important in informing and attracting people to a brand new event.

In all our materials, we positioned the municipalities as “supporters” rather than “sponsors”, to avoid a “gold rush” of event producers seeking dollars from the municipalities to sponsor their events.

Veterans Weekend included the Veterans Day Parade, the Patriotic Pops Concert, the Special Forces Assoc. “Race, Ride and Chili Cook-off”, the Veterans Putting Challenge and, the Veterans Day Observance at Village Hall.

2.

The local media were magnificent in putting their assets behind your investment to create success at event after event. It was a potent and valuable combination, worth many thousands of dollars.

The Pilot got the ball rolling with a September 25th front page story in about the joint proclamation. The news spread to Fayetteville, with an article in Elite Magazine. An important underpinning to everything in this write-up is the clear message to service men and women that the Sandhills is military-friendly.

The Pilot supported the individual events and the Veterans Weekend concept efforts both editorially and with advertising. The circulation of ads supporting the concert and parade reached more than 100,000 copies and potential readership impressions of more than 230,000. There were also numerous stories related to the events, including a major feature about the concert one week out.

The broadcast community did its part, as well, with several thousand dollars-worth of air time. The stations of Muirfield Broadcasting (WIOZ, Star102.5, Sandhills TV3) plus WEEB, and WLHC carried the message about community support for the veteran-focused events. They also supported the events with on-air interviews and “produced” PSAs.

Additional support was gained through the use of social media and the web sites of the three municipalities, several residential communities and several service organizations.

The promotion and advertising began in September and increased in October with broadcast and print media, some of which MOAA purchased (to support the concert).

Thanks to the initial support of the municipalities, MOAA was able to raise nearly \$20,000 for the support of veteran’s service organizations in Moore County, in 2013.



MOAA'S

Patriotic Music Show

Benefitting Moore County Veterans

Supported by

**Village of Pinehurst • Town of Southern Pines
Town of Aberdeen**

Featuring

Todd Allen Herendeen

#1 Hit Recording Artist of "My Name is America"



Sponsored by

Crossroads Ford Lincoln

Southern Pines

November 10, 5:00 PM

Robert E. Lee Auditorium at Pinecrest High School

Tickets \$11.00

*A "Veteran's Weekend" event produced by
Military Officers Association of America/Sandhills Chapter*



DISCUSSION WITH LANDCORE ON VILLAGE PLACE DEVELOPMENT.

ADDITIONAL AGENDA DETAILS:

DATE OF MEMO:

3/6/2014

MEMO DETAILS:

LandCore will provide presentation on the day of the meeting.



DISCUSS AND CONSIDER ORDINANCE 14-08: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE (RETIREMENT COMMUNITY AS A PERMITTED USE IN OFFICE AND PROFESSIONAL ZONING DISTRICT).

ADDITIONAL AGENDA DETAILS:

MEMO DETAILS:

See ordinance attached.

ATTACHMENTS:

Description

📎 [Ordinance 14-08](#)

ORDINANCE #14-08:

AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 2.2 DEFINITIONS, SECTION 10.2.1 TABLE OF PERMITTED AND SPECIAL USES, AND SECTION 10.2.1.3 SPECIAL REQUIREMENTS TO THE TABLE OF PERMITTED AND SPECIAL USES (RETIREMENT COMMUNITY AS A PERMITTED USE IN OFFICE AND PROFESSIONAL ZONING DISTRICT).

THAT WHEREAS, the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance on the 24th day of May, 2005, 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 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 February 25, 2014 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 proposed amendments to the Pinehurst Development Ordinance, 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 text amendments; and

WHEREAS, the Planning and Zoning Board has recommended the Village Council amend Sections 2.2, 10.2.1, and 10.2.1.3 of the Pinehurst Development Ordinance; and

WHEREAS, the Village Council, after considering all of the facts and circumstances surrounding the proposed amendments to the text of the Pinehurst Development Ordinance, have determined that it is in the best interest of the Village of Pinehurst and the extraterritorial jurisdiction and that it is consistent with the 2010 Comprehensive Plan that the Pinehurst Development Ordinance be further amended, making the amendments as requested;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in the regular meeting assembled on the 11th day of March, 2014, as follows:

SECTION 1. That the Pinehurst Development Ordinance of the Village of Pinehurst and its extraterritorial zoning jurisdiction be and the same hereby is amended by adding the following text amendment to Section 2.2 Definitions:

Section 2.2 Definitions

Retirement Community:

A planned age-restricted development for individuals 55 years in age or older which may consist of any housing form such as attached and detached single-family dwellings, apartment complexes, condominiums, townhouses, cottages, etc. and their associated uses and structures. These developments are intended to have an emphasis on social and recreational activities. These developments shall not include food or medical services and are intended to allow for independent living of the residents inhabiting the dwelling units.

SECTION 2. That the Pinehurst Development Ordinance of the Village of Pinehurst and its extraterritorial zoning jurisdiction be and the same hereby is amended by adding the following text amendment to Section 10.2.1 Table of Permitted and Special Uses:

**Table 10.2.1 TABLE OF PERMITTED AND SPECIAL USES
RESIDENTIAL**

USE TYPES	PC	R-210	R-30	R-20	R-15	R-10	R-8	R-5	R-MF	RD	OP	H	HD	VC	NC	SR
Dwelling, Accessory		SC	SC	SC	SC	SC	SC	SC	SC							1
Dwelling, Duplex									X							
Dwelling, Mixed Use											X			X	X	2
Dwelling, Multi-Family									X							
Dwelling, Single-Family		X (1)	X	X	X	X	X	X	X							
Dwelling, Townhouse									X							3
Family Care Home		X	X	X	X	X	X	X	X							4
Life Care Community		SC														
Mobile Home								X								5
<u>Retirement Community</u>											<u>SC</u>					<u>29</u>

Note (1): Subdivisions of thirty (30) acres or more in the R-210 District are required to meet the Open Space Subdivision requirements of Section 10.2.14.13.

X=Permitted Use

SC=Major Special Use (Village Council)

SR=Special Requirement (See Section 10.2.1.3)

SZ=Minor Special Use (Zoning Board of Adjustment)

SECTION 3. That the Pinehurst Development Ordinance of the Village of Pinehurst and its extraterritorial zoning jurisdiction be and the same hereby is amended

by adding the following text amendment to Section 10.2.1.3 Special Requirements to the Table of Permitted and Special Uses:

Section 10.2.1.3 Special Requirements to the Table of Permitted and Special Uses

SR-29. Retirement Community

- (1) **The minimum number of parking spaces required in Table 10.2.3.2 of this ordinance may be reduced to a minimum of 1.25 parking spaces per dwelling unit for Retirement Communities.**
- (2) **These uses may exceed the maximum building height required in Table 10.2.2.2 (c) of this ordinance. In no instance may a structure exceed a maximum height of 40'.**
- (3) **These uses shall have a maximum density of 12 units per acre.**

SECTION 4. That all ordinances or sections thereof in conflict herewith are hereby repealed and declared null and void from and after the date of adoption of this ordinance.

SECTION 5. That this Ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 11th day of March, 2014.

(Municipal Seal)

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

Approved as to Form:

Lauren M. Craig, Village Clerk

Michael J. Newman, Village Attorney



DISCUSS AND CONSIDER ORDINANCE 14-09: AN ORDINANCE AMENDING THE OFFICIAL PINEHURST ZONING MAP AS IT PERTAINS TO THE REZONING OF A CERTAIN TRACT OF LAND LOCATED AT 4176 MURDOCKSVILLE ROAD.

ADDITIONAL AGENDA DETAILS:

MEMO DETAILS:

See ordinance attached.

ATTACHMENTS:

Description

📎 [Ordinance 14-09](#)

ORDINANCE #14-09:

AN ORDINANCE AMENDING THE OFFICIAL PINEHURST ZONING MAP AS IT PERTAINS TO THE REZONING OF CERTAIN LAND LOCATED AT 4176 MURDOCKSVILLE ROAD.

THAT WHEREAS, the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance and Map on the 24th day of May, 2005, 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 quasi-judicial public hearing was held at 4:30 p.m. on February 25, 2014 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 the rezoning of approximately 5 acres of land addressed as 4176 Murdocksville Road, further defined as being a part of Moore County LRK # 22010 from R-10 (Single-family residential) to Conditional Use OP (Office and Professional), at which time all interested citizens, residents and property owners in the Village of Pinehurst and its extraterritorial jurisdiction were given an opportunity to provide evidence and/or testimony; and

WHEREAS, the Planning and Zoning Board has recommended the zoning map be amended; and

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

- 1. All exterior siding will be hardiplank. All building roofs will be covered with 30 yr. warranty, antifungal dimensional (architectural) shingles. Each building will have seamless gutters.**
- 2. All buildings will meet or exceed the standards and requirements of the ENERGY STAR 2.0 as verified by an independent, 3rd party expert who assists with project design, verifies construction quality and test completed units.**
- 3. No HVAC unit will be visible from the front of the building and all HVAC units will be screened.**
- 4. Positive drainage will be provided at all driveways, parking areas, ramps walkways and dumpster pads to prevent standing water.**
- 5. The landscape budget per unit will not be less \$1,000 per unit. This is for plants and trees and does not include fine grading, seeding, straw or sod. All plant materials will be native to the climate and area.**
- 6. Fencing complimentary to the appearance of buildings will screen the dumpster area. The pad and approach area will be concrete. A pad**

will be included for recycling receptacles and the property will participate in local recycling programs.

- 7. Trash/waste/recycling collection will be provided by a private company.**
- 8. Parking - 70 spaces are provided, almost double the .66 space per unit standard for independent, senior living. Additional parallel parking will be added along the main driveway entrance if there is future demand. The Village of Pinehurst Planning/Inspections staff will review and approve all parking expansion plans.**

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 as recommended by the Planning and Zoning Board.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in the regular meeting assembled on this 11th day of March, 2014 as follows:

SECTION 1. That the Pinehurst Zoning Map of the Village of Pinehurst and its extraterritorial zoning jurisdiction be and the same hereby is amended by rezoning of approximately 5 acres addressed as 4176 Murdocksville Road, further defined as being Moore County LRK # 22010 from R-10 (Single-family residential) to Conditional Use OP (Office and Professional).

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

SECTION 3. The General Concept Plan and Elevations attached hereto as exhibit B shall control future development on the site and compliance with shall be required.

SECTION 4. That simultaneous to the amendment to the zoning map a conditional use permit be issued for this site along with the agreed upon and approved eight condition(s) attached to the site that are referenced above.

SECTION 5. This Ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 11th day of March, 2014.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____

Nancy Roy Fiorillo, Mayor

Attest:

Approved as to Form:

Lauren M. Craig, Village Clerk

Michael J. Newman, Village Attorney

DRAFT