

**ORDINANCE #21-07:**

**AN ORDINANCE AMENDING THE OFFICIAL PINEHURST ZONING MAP AS IT PERTAINS TO THE REZONING OF ONE PARCEL OF LAND CONSISTING OF APPROXIMATELY 2.68 ACRES FURTHER IDENTIFIED AS PARTS OF MOORE COUNTY PIDS # 00025800; # 87000262; AND # 00024972**

**THAT WHEREAS,** the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance and Map on the 8<sup>th</sup> 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 May 11, 2021 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 2.68 acres and further identified as Moore County PIDS # 00025800; # 87000262; and # 00024972 from RD (Recreation Development District) and OP (Office Professional Development District) to H-CD (Hotel – 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 proposed use of the property is a development of a 34-room lodge with meeting space and associated site features in conjunction with the establishment of Golfhouse Pinehurst by the United States Golf Association and to improve the player experience for U.S. Opens in 2024 and thereafter every five to seven years; and

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

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

- 1. Maximum building height of 55 (fifty-five) feet for a maximum length of 50 feet of roof ridge from east elevation; and**
- 2. Front yard setback of 40 (forty) foot minimum; east side yard setback of 20 (twenty) foot minimum; west side yard setback of 30 (thirty) foot minimum; rear yard setback of 0 (zero) foot minimum; and**
- 3. Increase in allowed signage and size and amount by 50% of the north and east side of the building only; and**
- 4. The Player Dining / Flex Space is removed from the plans as reviewed and approved by the Pinehurst Historic Preservation Commission and Planning & Zoning Board; and**

5. All stormwater management will be designed to accommodate 25-year storm events; and
6. Efforts will be made to preserve the two specimen trees on either side of the proposed emergency fire access along the west property line; and
7. PRCC and Village of Pinehurst will enter into a development agreement to provide the required parking spaces per conditions 8, 9, & 10. A Letter of Intent (LOI) defining the general terms of the development agreement will be required to be approved by the Village Council prior to issuance of building and development permits for the Lodge, with the final Development Agreement to be approved by the Village one year after issuance of the building permit; and
8. PRCC shall provide 125 additional standard size parking spaces on the PRCC main campus. This number shall be adjusted for seating for a main lobby bar and for changes to the Lodge building from plans submitted as of June 8, 2021. These 125 new spaces may be accommodated with surface parking, parking deck(s) or other means on the subject property, to be determined by the Applicant. The Village of Pinehurst prefers a leveled (above or below ground) parking structure in front of the Lodge versus additional surface parking. Parking improvements shall be completed within 1 year of issuance of a Certificate of Occupancy for the Lodge unless said timeframe is extended by the Village Council pursuant to the terms of the Development Agreement; and
9. PRCC to provide a minimum of 100 parking spaces to replace the shuttle, employee, and contractor parking spaces displaced by the USGA project. These parking spaces are to be provided at the “greenhouse” property (PIN # 856217002045) subject to approval by the Village of Pinehurst. Parking spaces shall be constructed prior to July 1, 2022; and
10. Pursuant to the November 10, 2020 Incentive Agreement and to address parking demands generated by the construction and operation of the Lodge, PRCC to add parking capacity at the Carolina Hotel property to create a minimum of 86 additional parking spaces as follows:
  - a) 28 rear lot
  - b) 20 rear pool
  - c) 35 east parking lot
  - d) 3 valet parkingImprovements are subject to compliance with the Village’s PDO and ESSM and shall be constructed prior to July 1, 2022; and
11. Prior to July 1, 2022, PRCC shall provide the Village of Pinehurst with a plan for providing and managing on-site temporary parking, and internal overflow parking for special events; and

**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 22<sup>nd</sup> day of June 2021, as follows:

**SECTION 1.** The proposed conditional rezoning is consistent with Guiding Principle # 5 of the 2019 Comprehensive Plan stating, “golf and tourism are two of the most important industries in Pinehurst in terms of employment, land use and reputation. It is important to support the Resort and other businesses that cater to these industries in order to maintain Pinehurst’s identity as a premiere golf and hospitality destination (page 176, 2019 VOP LRCP).

**SECTION 2.** That the Pinehurst Zoning Map of the Village of Pinehurst and its extraterritorial zoning jurisdiction hereby is amended by rezoning of approximately 2.68 acres and further identified as Moore County PIDS # 00025800; # 87000262; and # 00024972, from RD (Recreation Development District) and OP (Office Professional Development District) to H-CD (Hotel – Conditional District) by the Village of Pinehurst effective June 22, 2021.

**SECTION 3.** The rezoning map as attached hereto as Exhibit A, and made part of hereof, the same as if included verbatim.

**SECTION 4.** The Concept Plan as attached hereto as Exhibit B, and made part of hereof, the same as if included verbatim.

**SECTION 5.** The legal description as attached hereto as Exhibit C, and made part of hereof the same as if included verbatim.

**SECTION 6.** This Ordinance shall be and remain in full force and effect from and after June 22, 2021.

Adopted this 22<sup>nd</sup> day of June 2021.

(Municipal)



Attest:

Kelly Chance  
Kelly Chance, Village Clerk

VILLAGE OF PINEHURST  
VILLAGE COUNCIL

By: John C. Strickland  
John C. Strickland, Mayor

Approved as to Form:

Michael J. Newman  
Michael J. Newman, Village Attorney

Applicant/Owner Agreed to as Conditions:

Richard Higginbotham  
Richard Higginbotham, Resorts of Pinehurst Inc.