

**PINEHURST VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF JANUARY 24, 2006
395 MAGNOLIA ROAD
ASSEMBLY HALL
PINEHURST, NORTH CAROLINA
1:00 P.M.**

1. Call to Order.
2. Approval of 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 Draft Minutes:

Special Work Sessions of December 7 and 20, 2005
Work Session of December 13, 2005
Special Meeting of December 20, 2005
Closed Sessions of December 7, 13 and 20, 2005

B. Public Safety Reports:

Police Department
Fire Department

C. Scheduling of Regular Meeting for Tuesday, February 28, 2006 at 1:00 p.m.

End of Consent Agenda.

3. Budget Amendments Report to Council.
4. Ordinance #06-01: An Ordinance Amending the Pinehurst Development Ordinance As It Pertains to Chapter 10, Section 10.2.5.9 Temporary Signs.
5. Ordinance #06-02: An Ordinance Amending the Pinehurst Development Ordinance As It Pertains to Chapter 12, Section 12.4.9 Street Construction.
6. Major Special Use Permit: Pinehurst United Methodist Church to add additional parking to their church located at 4111 Airport Road.
7. Other Business.
8. Comments from Attendees.
9. Adjournment.

**MINUTES OF
VILLAGE COUNCIL REGULAR MEETING
JANUARY 24, 2006**

**ASSEMBLY HALL – VILLAGE HALL
395 MAGNOLIA ROAD
PINEHURST, N. C.**

1:00 P.M.

The Village Council of the Village of Pinchurst held a Regular Meeting on Tuesday, January 24, 2006, at 1:00 p.m. in the Assembly Hall of the Pinchurst Village Hall, 395 Magnolia Road, Pinchurst, North Carolina with the following in attendance:

The Honorable Steven J. Smith, Mayor
The Honorable George E. Hillier, Mayor Pro-Tem
The Honorable Virginia F. Fallon
The Honorable Douglas A. Lapins
The Honorable Lorraine A. Tweed
Mr. Andrew M. Wilkison, Village Manager
Ms. Linda S. Brown, Village Clerk
And approximately 20 persons in the audience.

1. CALL TO ORDER.

Mayor Steven J. Smith called the meeting to order.

2. APPROVAL OF CONSENT AGENDA.

All items listed below were considered routine or had been discussed at length in previous meetings and were enacted by one motion. No separate discussion was held except on request by a member of the Village Council.

A. Approval of Minutes of:

Special Work Sessions of December 7 and 20, 2005
Work Session of December 13, 2005
Special Meeting of December 20, 2005
Closed Sessions of December 7, 13 and 20, 2005

B. Public Safety Reports- Police and Fire Departments.

C. Scheduling of Regular Meeting for Tuesday, February 28, 2006 at 1:00 p.m.

End of Consent Agenda.

Councilmember Tweed moved to approve all the items listed and considered routine on the Consent Agenda. The motion was seconded by Councilmember Fallon, and the Consent Agenda was unanimously approved by a vote of 5-0.

3. BUDGET AMENDMENTS REPORT TO COUNCIL.

Councilmember Fallon moved to receive the Budget Amendments Report to Council for the period December 15, 2005 to January 15, 2006. The motion was seconded by Councilmember Hillier and carried unanimously by a vote of 5-0.

4. Ordinance #06-01: An Ordinance Amending the Pinchurst Development Ordinance As It Pertains to Chapter 10, Section 10.2.5.9 Temporary Signs.

**MINUTES OF
VILLAGE COUNCIL REGULAR MEETING
JANUARY 24, 2006**

The mayor explained that a change in January to the North Carolina General Statutes now requires that prior to adopting or rejecting any zoning amendment Council shall adopt a statement describing whether its action is consistent with our adopted comprehensive plan. The statement must also explain why the Council considers the action taken to be reasonable and in the public interest.

Councilmember Lapins moved to adopt as amended the memo prepared by Molly Russell, Village of Pinehurst Planner, and dated January 17, 2006 as the Council statement that draft ordinance #06-01 is consistent with the Village of Pinehurst's 2003 Comprehensive Long-Range Plan. Councilmember Fallon seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the amended memo is found in the Minute File.)

Upon the motion of Councilmember Lapins, seconded by Councilmember Tweed, Ordinance #06-01 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

5. Ordinance #06-02: An Ordinance Amending the Pinehurst Development Ordinance As It Pertains to Chapter 12, Section 12.4.9 Street Construction.

Councilmember Tweed moved to adopt the memo prepared by Bruce Gould, Village of Pinehurst Senior Planner, and dated January 17, 2006 as the Council statement that draft ordinance #06-02 is consistent with the Village of Pinehurst's 2003 Comprehensive Long-Range Plan. Councilmember Lapins seconded the motion which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

Upon the motion of Councilmember Tweed, seconded by Councilmember Lapins, Ordinance #06-02 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.).

6. Major Special Use Permit: Pinehurst United Methodist Church to add additional parking to their church located at 4111 Airport Road.

Councilmember Fallon moved to adopt the Findings of Fact of the Council for the Village of Pinehurst dated January 24, 2006 regarding the Pinehurst United Methodist Church application for a Major Special Use Permit. Councilmember Tweed seconded the motion. The Findings of Fact were unanimously approved by a vote of 5-0. (The Findings of Fact are attached hereto as Exhibit A and made a part thereof, the same as if included verbatim.)

7. OTHER BUSINESS. There was none.

8. COMMENTS FROM ATTENDEES. There were none.

9. ADJOURNMENT.

Councilmember Tweed moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Fallon and carried unanimously. The Regular Meeting adjourned at 1:05 p.m.

Respectfully Submitted,



Linda S. Brown, CMC
Village Clerk

LC

FOR REGISTRATION REGISTER OF DEEDS
JUDY D. MARTIN
MOORE COUNTY, NC
2006 FEB 01 03:55:05 PM
BK:2968 PG:413-418 FEE:\$29.00
INSTRUMENT # 2006002144

Village of Pinehurst
Greedy Ave. Division
395 Magnolia Rd
Pinehurst, NC 28374

NOTICE
Findings of Fact

Village Council

Village of Pinehurst

Pinehurst United Methodist Church has applied for a Major Special Use Permit in order to add additional parking to their church located at 4111 Airport Road. The proposed development will occur on property identified as Moore County LRK#38270. This property is currently zoned R-20 (single family residential).

- a) **The use is listed among the special uses in the district for which the application is made.**

Refer to page 88, Pinehurst Development Ordinance. Within the matrix, churches are shown as a permitted use within the R-20 Zoning for which this property is zoned.

- b) **The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.**

Refer to the December 20, 2005 "Report to the Village Council" by the Village Planning Staff. This report states that: "Staff has reviewed the minor site plan that is part of this Major Special Use Permit and found it in compliance with Village Regulations." The master site plan for the Pinehurst United Methodist Church was submitted to the Village of Pinehurst and approved in 2000. The general location and design of additional parking being proposed was included in

the original Master Site Plan; but this parking was not included in the church's initial construction.

c) **The use will be in general conformance with adopted Comprehensive Long-Range Plan.**

The land use map found in Chapter 5 of the 2003 of the Comprehensive Long-Range Plan indicates that this property is intended for institutional use. A church is a religious institution; and therefore considered an institutional use. The Pinehurst Development Ordinance does not discourage churches within R-20 residential zoning; therefore, churches are presumed acceptable and in conformance with the Comprehensive Long-Range Plane.

The Village of Pinehurst places high emphasis on community spirit and quality of life. The Pinehurst United Methodist Church supports the following community organizations: Friend to Friend, Moore Habitat for Humanity, Moore Housing, Sandhills Interfaith Hospitality Network, Sandhills Food Bank, and Sandhills Moore Coalition for Human Caring.

The additional parking spaces will allow the church to continue its growth and increase its support of the above community organizations.

d) **The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as proposed.**

The proposed parking facility is located on the church property adjacent to the existing paved parking lot. The Pinehurst United Methodist Church is located on Airport Road, a major thoroughfare. The driveway permit issued by the Village

of Pinehurst and the North Carolina Department of Transportation was based on the overall master site plan for the church. No changes are proposed for the access on Airport Road. Since 2002 there have been no adverse public health or safety issues related to Pinehurst United Methodist Church.

- e) **The use will not substantially injure the value of adjoining property, or is a public necessity.**

Pinehurst United Methodist Church has been located on this site since June 2, 2002. There have been no adverse effects on the adjoining property. Residential sales and construction in Longleaf have continued. The church property creates a lower density of land use and more open space than exists in the adjoining R-20 Residential Zoning. This is a benefit to the adjoining neighborhood. The location of the proposed parking area actually moves parking toward Airport Road and away from the rear property line, thus providing an increased buffer with the Longleaf property.

- f) **The use will be in harmony with the area in which it is to be located.**

Churches are a permitted use within an R-20 zoning district. The site is greater than 5 acres and has direct access onto a major thoroughfare. The Pinehurst United Methodist Church property is approximately 11 acres that has allowed the church to place emphasis on landscaping, buffers, parking, and building location being in harmony with the area.

- g) **Adequate utilities, access road, drainage, sanitation, or other necessary facilities have been or are being provided.**

The Pinehurst United Methodist Church utilizes existing public water and sewer and the existing driveway is a permitted existing use. Trash pick-up is provided by contract with Lakeside Garbage. No additional utilities will be required.

- h) **Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize the traffic congestion in all streets.**

The Pinehurst United Methodist Church will continue to use its single driveway entrance onto Airport Road. This entrance was approved and permitted the Village of Pinehurst and the North Carolina Department of Transportation in March of 2001 based on the number of spaces to be

provided in the master plan. The construction of the proposed parking will result in a gain of 52 spaces as follows:

Existing parking spaces	116
Parking spaces removed	-3
Parking spaces added	<u>+55</u>
TOTAL PARKING SPACES	168

- i) **Hours of operation will not impair the integrity or character of the surrounding or adjoining districts, nor adversely affect the safety, health, morals, or welfare of the community, or the immediate neighbors of the property.**

The Pinehurst United Methodist Church conducts services traditional to other United Methodist and protestant churches in the area as follows:

Sunday	8:00 AM to 12:00 PM School	Worship Services and Sunday
Weekdays	5:00 PM to 9:00 PM	Youth Fellowship and special events
	9:00 AM to 5:00 PM classes	Office Hours, church meetings and
	6:00 PM to 9:00 PM	Church meetings, classes, and choir practice

These operating hours have had no adverse effects on the neighborhood and will not be changed by the construction of additional parking. No additional outside lighting is being installed. Stormwater runoff is contained within an existing stormwater retention basin and drainage easements. There are no changes proposed to the existing stormwater system.

- j) **The use will not unduly congest or limit the existing use of amenities and recreational facilities.**

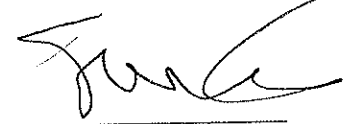
There are no recreational facilities or amenities located on the church property or adjoining the church property.

Village Council finds that the addition to the existing parking area of the Pinehurst United Methodist Church is in keeping with the concept of the original master plan, has been found in compliance with Village regulations by the Village planning staff and meets the Standards of Review set forth in Section 5.13.6 of the Pinehurst Development Ordinance.

Therefore, Village Council approves the Major Special Use Permit for Pinehurst United Methodist Church to construct 52 additional parking spaces.

THEREFORE, on the basis of all foregoing, it is ordered that the application for the Major Special Use be approved.

Ordered this date 24th day of January, 2006



Mayor Steven J. Smith

Village of Pinehurst

State of North Carolina

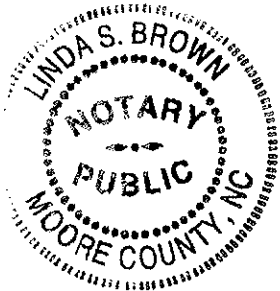
County of Moore

I Linda S. Brown, a Notary Public for said County and State, do hereby certify that Mayor Steven J. Smith, personally appeared before me this day and acknowledged the foregoing instrument.

Witness my hand and official seal this the 10th day of January 2006.

Linda S. Brown

Notary Public



My Commission Expires: May 24, 2006

EXHIBIT "A"

Findings of Fact

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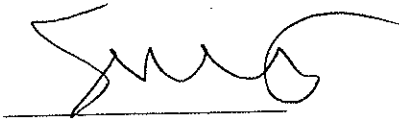
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THEREFORE, on the basis of all foregoing, it is ordered that the application for the Major Special Use be approved.

Ordered this date 24th day of January, 2006



Mayor Steven J. Smith

Village of Pinehurst

State of North Carolina

County of Moore

I Linda S. Brown, a Notary Public for said County and State, do hereby certify that Mayor Steven J. Smith, personally appeared before me this day and acknowledged the foregoing instrument.

Witness my hand and official seal this the 10th day of January 2006.

Linda S. Brown

Notary Public

My Commission Expires: May 24, 2006