

**PINEHURST VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF JANUARY 27, 2009
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 Session of December 11, 2008
Work Session of December 16, 2008
Regular Meeting of December 16, 2008
Closed Session of December 16, 2008

B. Public Safety Reports:
Police Department
Fire Department

C. Scheduling of Regular Meeting for Tuesday, February 24, 2009 at 1:00 p.m.

End of Consent Agenda.

3. Budget Amendments Report to Council.
4. Recess Regular Meeting and Enter Into a Public Hearing.
5. Public Hearing: Official text amendment to the Pinehurst Development Ordinance Section 10.2.2.2 (a) Note 6 Table of Dimensional Requirements. This amendment would increase the amount of impervious surface coverage allowable for churches in the PC (public conservation district) District from a maximum of 12% to a maximum of 70%. The applicant is the Village Chapel.
6. Adjourn Public Hearing and Re-Enter Regular Meeting.
7. Other Business.
8. Comments from Attendees.
9. Adjournment.

**MINUTES OF
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JANUARY 27, 2009**

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

1:00 P.M.

The Village Council of the Village of Pinehurst held a Regular Meeting on Tuesday, January 27, 2009, at 1:00 p.m. in the Assembly Hall of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina with the following in attendance:

The Honorable George P. Lane, Mayor
The Honorable Lorraine A. Tweed, Mayor Pro-Tem
The Honorable Jeffrey P. Dawson
The Honorable Virginia F. Fallon
The Honorable Joan M. Thurman
Mr. Andrew M. Wilkison, Village Manager
Ms. Linda S. Brown, Village Clerk
And approximately 30 persons in the audience.

1. CALL TO ORDER.

Mayor George P. Lane 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 Session of December 11, 2008
Work Session of December 16, 2008
Regular Meeting of December 16, 2008
Closed Session of December 16, 2008

B. Public Safety Reports- Police and Fire Departments.

C. Scheduling of Regular Meeting for Tuesday, February 24, 2009 at 1:00 p.m.

End of Consent Agenda.

Councilmember Thurman moved to approve all the items listed and considered routine on the Consent Agenda. The motion was seconded by Councilmember Tweed and the Consent Agenda was unanimously approved.

3. BUDGET AMENDMENTS REPORT TO COUNCIL.

No budget amendments were made during the period December 15, 2008 to January 15, 2009, thus there was no Budget Amendment Report.

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4. RECESS REGULAR MEETING AND ENTER INTO A PUBLIC HEARING.

Councilmember Dawson moved to recess the Regular Meeting and enter into a Public Hearing on Planning and Zoning and Other Matters. The motion was seconded by Councilmember Fallon and carried unanimously.

5. PUBLIC HEARING: Official text amendment to the Pinehurst Development Ordinance Section 10.2.2.2 (a) Note 6 Table of Dimensional Requirements. This amendment would increase the amount of impervious surface coverage allowable for churches in the PC (public conservation district) District from a maximum of 12% to a maximum of 70%. The applicant is the Village Chapel.

Comments:

Director of Planning and Inspections Andrea Correll introduced the Public Hearing and entered into the record a statement that the proposed amendments to the Pinehurst Development Ordinance are consistent with the 2003 Comprehensive Long-Range Village Plan. (Copy of the Comprehensive Plan Consistency Statement dated January 27, 2009 is in the Minute File.)

Dr. Al Hill, Associate Minister of the Village Chapel, stated that the Village Chapel congregation is changing, and the ministry must change to meet the needs of the congregation. The basis of the Village Chapel request for a text change to the Pinehurst Development Ordinance is that the ministry wants to become more involved in Christian education and service. Adding to the present campus is necessary to support those initiatives.

Clyde Holt, attorney for the Village Chapel, entered into the official record a letter to formally change the Village Chapel request from 70% to 45% impervious surface. Off street parking will be needed with the project necessitating a request for a higher percentage than the current one. The basis of the original request for 70% was the percentage given to municipal government. The Pinehurst Planning and Zoning Board was sympathetic to the requested 70% but recommended 40%. (Copy of the letter from Clyde Holt dated January 21, 2009 regarding the impervious surface limitation in the Public Conservation Zoning District is in the Minute File.)

Mr. Holt stated that the Village Chapel will design to whatever percentage is allowed, and the designers feel a percentage between 40% and 45% would be necessary. There are no plans now, so being more specific is impossible. The designers feel 45% would give some flexibility and room for error.

To the public, Mr. Holt stated that many reviews would be necessary allowing opportunities for public input. The project would need approval from the Village, from the Village Chapel congregation, and will need to fit the Village Comp Plan guidelines. The Chapel will have to apply for a special use permit which involves explaining traffic, driveway permits, impact on surrounding property, etc. This permit, too, requires an opportunity for public input.

Mr. Tom Melhorn, Chairman of the Village Chapel Board of Trustees, stated that this is the last chance the Village Chapel has to grow. We have only 4 acres of property, but we want to be a good neighbor.

John Hoffman, Pinehurst resident, quoted section 10.1.1 of the Pinehurst Development Ordinance describing a Public Conservation District as one in which "the primary use of the land is reserved for the general public for recreation, flood control, parks, natural or man-made bodies of water, forests and other similar open space uses..." He then quoted Section 10.2.2.2 (a) Note (6) "Village of Pinehurst governmental buildings, including administrative offices, public safety stations, municipal public service facilities, and similar buildings not intended for recreational purposes may cover up to seventy

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percent (70%) impervious surface.” The Village Chapel is not a governmental building or anything else listed in those sections of the Pinehurst Development Ordinance. The area is subject to flooding, and any increase in impervious surface would be dire. Allowing this increase and the resulting construction would increase traffic and present a greater parking problem.

Bill Bancroft, a Pinehurst resident who is not a member of the Village Chapel, spoke in favor of the change and the project noting that the Tufts family recognized the need for a library and a church, placing one of these on either end of the Village Green. Mr. Tufts later donated land for the Community Presbyterian Church. It would be difficult to measure the contribution of churches to the ambiance of Pinehurst and the Sandhills area. Mr. Bancroft stated that the Council has been restrictive to area churches and okaying this request would go a long way to erasing that commonly-held perception.

Councilmember Dawson clarified that the letter submitted by Mr. Holt is an official request to amend the original request. He asked whether changing the zoning for the church would be better than changing the percentage of impervious surface. Answer- no, North Carolina law views that as “spot zoning” and does not allow it. He also clarified the wording of the proposed amendment.

Councilmember Thurman stated that she cannot imagine that the church does not have an idea of what they want to build. Will it look like what is already there?

Dr. Hill replied that they would restrict the design to look like it has always been there and meets the personality of the Chapel, not as an obvious addition.

Councilmember Fallon asked if the building would be on the rear of the property.

Dr. Hill replied that there is not enough room to build in the back; they anticipate the construction to be on the right side of the sanctuary.

Lou Clay noted that the Chapel building increased in size in the 1990’s and there was little notice of the addition. He feels this addition will not be noticed either.

Mr. Melhorn stated that the intent is to balance the campus with the dominant building being the sanctuary. The building is on the National Historic Register and has won many architectural awards. The intent is not to jeopardize that look- brick and a slate roof will be on the new building also.

Councilmember Thurman asked what percentage would be needed for them to build on one side exactly what is on the other side.

Mr. Melhorn stated that 40% would push it; they would like the extra 5%.

Councilmember Fallon asked if a Major Special Use Permit application would come back to Council. Answer- yes.

6. RE-ENTER REGULAR MEETING.

There being no further discussion, Councilmember Fallon moved to adjourn the Public Hearing and re-enter the Regular Meeting. Councilmember Tweed seconded the motion and it carried unanimously.

7. OTHER BUSINESS.

There was none.

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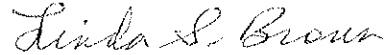
8. COMMENTS FROM ATTENDEES.

There were none.

9. ADJOURNMENT.

Councilmember Fallon moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Tweed and carried unanimously. The Regular Meeting adjourned at 1:40 p.m.

Respectfully Submitted,



Linda S. Brown, CMC
Village Clerk