

**PINEHURST VILLAGE COUNCIL  
AGENDA FOR REGULAR MEETING OF JULY 24, 2012  
395 MAGNOLIA ROAD  
ASSEMBLY HALL  
PINEHURST, NORTH CAROLINA  
1:00 P.M.**

1. Call to Order.
2. Invocation and Pledge of Allegiance.
3. **Action:** 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 Draft Minutes:  
Work Sessions of June 12 and 26, 2012  
Regular Meeting of June 26, 2012  
Closed Session of June 26, 2012
- B. Public Safety Reports:  
Police Department  
Fire Department
- C. Scheduling of Regular Meeting for Tuesday, August 21, 2012 at 1:00 p.m.

**End of Consent Agenda.**

4. **Action:** Motion to Receive Budget Amendments Report to Council for the Period June 16, 2012 to June 30, 2012.
5. **Action:** Motion to Recess Regular Meeting and Enter Into a Public Hearing.
6. **Public Hearing #1:** Request by Carolina Eye Associates for a Major Site Plan Review in order to add approximately 12,500 of additional building space at 2170 Midland Rd. This proposed project will also include a complete redesign of the parking and landscaping on the site. This property is identified as Moore County LRK # 35838. The property owner is listed as MTMM Associates, LLC.
7. **Public Hearing #2:** Official text amendment to the Pinehurst Development Ordinance in order to add Section 10.2.14.28 Improvement Guarantees. The purpose of this amendment is to allow for a means in which a final plat for a subdivision may be recorded prior to all required improvements being made. A financial guarantee would be required in lieu of the required improvements. The applicant is East Lake Development, LLC.
8. **Action:** Motion to Adjourn Public Hearing and Re-Enter Regular Meeting.
9. **Action:** Adopt Comprehensive Consistency Statement for Ordinance- PDO Development Standards.
10. **Action:** Ordinance 12-22: An Ordinance Amending the Pinehurst Development Ordinance As It Pertains to Section 13.1.3.3 Development Standards.
11. **Action:** Motion regarding Major Site Plan Review for Carolina Eye Associates.
12. **Action:** Adopt Comprehensive Consistency Statement for Ordinance- PDO Improvement Guarantees.
13. **Action:** Ordinance 12-23: An Ordinance to Amend the Pinehurst Development Ordinance As It Pertains To The Addition of Section 10.2.14.28 Improvement Guarantees.
14. Other Business.
15. Comments from Attendees.
16. **Action:** Motion to Adjourn.

**MINUTES OF  
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**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, July 24, 2012, 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 Nancy Roy Fiorillo, Mayor  
The Honorable Douglas A. Lapins, Mayor Pro-Tem  
The Honorable John R. Cashion, Councilmember  
The Honorable Mark W. Parson, Councilmember  
The Honorable John C. Strickland, Councilmember  
Mr. Andrew M. Wilkison, Village Manager  
Ms. Linda S. Brown, Village Clerk  
And approximately 20 persons in the audience.

**1. CALL TO ORDER.**

Mayor Nancy Roy Fiorillo called the meeting to order.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE.**

Village Manager Andy Wilkison led in an invocation followed by the Pledge of Allegiance to the American flag led by Mayor Fiorillo.

**3. 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:
  - Work Sessions of June 12 and 26, 2012
  - Regular Meeting of June 26, 2012
  - Closed Session of June 26, 2012
- B. Public Safety Reports- Police and Fire Departments.
- C. Scheduling of Regular Meeting for Tuesday, August 21, 2012 at 1:00 p.m.

**End of Consent Agenda.**

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

**4. BUDGET AMENDMENTS REPORT TO COUNCIL.**

Councilmember Lapins moved to receive the Budget Amendments Report to Council for the period June 16, 2012 to June 30, 2012. The motion was seconded by Councilmember Parson and carried unanimously.

**5. MOTION TO RECESS REGULAR MEETING AND ENTER INTO A PUBLIC HEARING.**

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Councilmember Parson 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 Cashion and carried unanimously.

6. **PUBLIC HEARING #1: Request by Carolina Eye Associates for a Major Site Plan Review in order to add approximately 12,500 of additional building space at 2170 Midland Rd. This proposed project will also include a complete redesign of the parking and landscaping on the site. This property is identified as Moore County LRK # 35838. The property owner is listed as MTMM Associates, LLC.**

Comments:

**Director of Planning and Inspections Andrea Correll** introduced the Public Hearing by reading portions of the Staff Report concerning the application. The Planning and Zoning Board voted unanimously to recommend approval of the major site plan. (Copy of the staff report is in the Minute File.)

**Alan Maness**, engineer of record for the project, delivered a PowerPoint presentation explaining that the project involves three areas- an ambulatory surgery center, a clinic and expansion of parking.

**Councilmember Strickland** asked Mr. Maness when the project will begin and how long does he anticipate before its completion.

**Mr. Maness** stated that the project will begin in a week or two and should be complete in 18-24 months.

7. **PUBLIC HEARING #2: Official text amendment to the Pinehurst Development Ordinance in order to add Section 10.2.14.28 Improvement Guarantees. The purpose of this amendment is to allow for a means in which a final plat for a subdivision may be recorded prior to all required improvements being made. A financial guarantee would be required in lieu of the required improvements. The applicant is East Lake Development, LLC.**

Comments:

**Senior Planner Bruce Gould** introduced the Public Hearing. (Copy of a memo from Director of Planning and Inspections Andrea Correll dated June 6, 2012 regarding the proposed amendment is in the Minute File.)

**Councilmember Strickland** recused himself from participation in consideration of this issue since he is an equity member of the Country Club of North Carolina and thus has a financial tie to the applicant.

**John May, Esq.**, attorney for the applicant, stated that the security bond assures that the work gets done, protects the property owner and allows the owner to close on the property of a recorded plat. Then the owner can move forward with the infrastructure.

**Eli Zablud** of Morrisville asked the Council to reconsider restricting development to no more than 8 units per acre in the Village Residential District. He stated that it is not economically feasible to do a project with such a low number of units per acre. (It was determined that Mr. Zablud was speaking regarding agenda item number ten- Development Standards in the Village Residential District.)

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**8. MOTION TO ADJOURN PUBLIC HEARING AND RE-ENTER REGULAR MEETING.**

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

**9. MOTION TO ADOPT COMPREHENSIVE PLAN CONSISTENCY STATEMENT FOR ORDINANCE 12-22- PDO- DEVELOPMENT STANDARDS.**

Councilmember Cashion moved to adopt the memo dated July 24, 2012 as the Council statement that draft ordinance 12-22 is consistent with the Village of Pinehurst's 2010 Comprehensive Long-Range Plan, Amended October 2011. 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.)

**10. ORDINANCE #12-22: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 13.1.3.3 DEVELOPMENT STANDARDS FOR VILLAGE RESIDENTIAL ZONING.**

The Manager explained the need for the Ordinance #12-22. Upon the motion of Councilmember Cashion, seconded by Councilmember Lapins, Ordinance #12-22 was approved by a vote of 4-1, with Councilmember Parson casting the dissenting vote. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

**11. MOTION REGARDING MAJOR SITE PLAN REVIEW FOR CAROLINA EYE ASSOCIATES.**

Councilmember Lapins moved to approve the Major Site Plan for the proposed addition to Carolina Eye. The proposed addition will add approximately 12,500 square feet of additional building space at 2170 Midland Road. The proposed project will also include a complete redesign of the parking and landscaping on this site. This property is identified as Moore County LRK# 35838. The property owner is listed as MTMM Associates, LLC. Councilmember Cashion seconded the motion which carried unanimously by a vote of 5-0. (Copy of the Major Site Plan Application is in the Minute File.)

**12. MOTION TO ADOPT COMPREHENSIVE PLAN CONSISTENCY STATEMENT FOR ORDINANCE 12-23- PDO- IMPROVEMENT GUARANTEES.**

Councilmember Parson moved to adopt the memo prepared by Director of Planning and Inspections Andrea Correll, and dated July 24, 2012 as the Council statement that draft ordinance 12-23 is consistent with the Village of Pinehurst's 2010 Comprehensive Long-Range Plan Amended October 2011. Councilmember Lapins seconded the motion, which was unanimously approved by a vote of 4-0, Councilmember Strickland having recused himself. (Copy of the memo is found in the Minute File.)

**13. ORDINANCE #12-23: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 10.2.14.28 IMPROVEMENT GUARANTEES.**

The Manager explained the need for the Ordinance #12-23. Upon the motion of Councilmember Parson, seconded by Councilmember Cashion, Ordinance #12-23 was unanimously approved by a vote of 4-0, Councilmember Strickland having recused himself. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

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**14. OTHER BUSINESS.**

Mayor Fiorillo announced that the Village Manager would distribute a Press Release later in the afternoon regarding Council action on the denial by the Village Historic Preservation Commission of the proposed Village Center Enhancements.

**15. COMMENTS FROM ATTENDEES.**

There were none.

**16. ADJOURNMENT.**

Councilmember Cashion moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Lapins and carried unanimously. The Regular Meeting adjourned at 1:25 p.m.

Respectfully Submitted,

*Linda S. Brown*

Linda S. Brown, CMC  
Village Clerk