

**PINEHURST VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF DECEMBER 13, 2011
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 Session of November 15, 2011
 - Regular Meeting of November 15, 2011
 - Organizational Meeting of November 29, 2011
 - Closed Session of November 15, 2011
- B. Public Safety Reports:
 - Police Department
 - Fire Department
- C. Scheduling of Regular Meeting for Tuesday, January 24, 2012 at 1:00 p.m.

End of Consent Agenda.

4. **Action:** Motion to Receive Budget Amendments Report to Council for the Period November 11, 2011 to December 10, 2011.
5. **Action:** Motion to Recess Regular Meeting and Enter Into a Public Hearing.
6. **Public Hearing #1:** Official text amendment to the Pinehurst Development Ordinance Section 10.2.1.3 SR-18 (j) (2) (b) Fences and Walls in Residential Zoning Districts and/or on Residential Properties. This proposed amendment will allow picket and wrought iron pool fencing to encroach up to 20% into the required golf course and lake setback if the fencing is to enclose a pool constructed prior to 2002 that has not previously been fenced. The applicant is Richard Wright.
7. **Public Hearing #2:** Official text amendment to the Pinehurst Development Ordinance Section 10.2.2.1 General Standards (a) Exterior Building Materials and (g) Franchise or Corporate Architecture. The purpose of this amendment is to exclude franchise businesses established prior to December 13, 2011 and being located within the Historic District from these ordinance requirements if they obtain a Certificate of Appropriateness from the Historic Preservation Commission. The applicant is the Village of Pinehurst.
8. **Public Hearing #3:** Official text amendment to the Pinehurst Development Ordinance Section 10.2.5.9 (e) (1) Temporary Signs. This proposed amendment will extend the time that signs, lighting and displays that are part customary holiday decorations or annual civic events may be displayed from 45 to 60 successive days. The applicant is the Village of Pinehurst.
9. **Public Hearing #4:** Official text amendment to the Pinehurst Development Ordinance Section 10.2.5.3 (j) Prohibited Signs and Section 10.2.5.8 (c) (1) Signs Permitted in Non-Residential Zoning District. These proposed amendments will allow developments located within the Pinehurst South Overlay District to have up to three (3) off-premise signs. The current ordinance does not allow for any off-premise signs. The applicant is the Village of Pinehurst.

10. **Public Hearing #5:** Official text amendment to the Pinehurst Development Ordinance Section 10.2.5.7 (a) Comprehensive Sign Plans and Section 10.2.5.8 (c) Signs Permitted in Non-Residential Districts. These proposed amendments will exclude multi-tenant developments located within the Pinehurst South Overlay District from having to meet the comprehensive sign plan requirements of the Pinehurst Development Ordinance. The applicant is the Village of Pinehurst.
11. **Action:** Motion to Adjourn Public Hearing and Re-Enter Regular Meeting.
12. Other Business.
13. Comments from Attendees.
14. **Action:** Motion to Adjourn.

**MINUTES OF
VILLAGE COUNCIL REGULAR MEETING
DECEMBER 13, 2011**

**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, December 13, 2011, 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 10 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 Session of November 15, 2011

Regular Meeting of November 15, 2011

Organizational Meeting of November 29, 2011

Closed Session of November 15, 2011

B. Public Safety Reports- Police and Fire Departments.

C. Scheduling of Regular Meeting for Tuesday, January 24, 2012 at 1:00 p.m.

End of Consent Agenda.

Councilmember Strickland 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 Parson moved to receive the Budget Amendments Report to Council for the period November 11, 2011 to December 10, 2011. The motion was seconded by Councilmember Lapins and carried unanimously.

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

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Councilmember Cashion 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 Parson and carried unanimously.

6. **PUBLIC HEARING #1: Official text amendment to the Pinehurst Development Ordinance Section 10.2.1.3 SR-18 (j) (2) (b) Fences and Walls in Residential Zoning Districts and/or on Residential Properties. This proposed amendment will allow picket and wrought iron pool fencing to encroach up to 20% into the required golf course and lake setback if the fencing is to enclose a pool constructed prior to 2002 that has not previously been fenced. The applicant is Richard Wright.**

Comments:

Director of Planning and Inspections Andrea Correll introduced the Public Hearing and entered into the record a statement that the proposed amendment to the Pinehurst Development Ordinance is consistent with the 2011 Comprehensive Long-Range Village Plan. (Copy of the Comprehensive Plan Consistency Statement dated December 9, 2011 is in the Minute File.)

NOTE: Council received a letter from Mr. William R. (Dick) and Suzanne Wright of 36 Pomeroy Drive concerning Public Hearing # 1. (Copy of the letter is in the Minute File.)

7. **PUBLIC HEARING #2: Official text amendment to the Pinehurst Development Ordinance Section 10.2.2.1 General Standards (a) Exterior Building Materials and (g) Franchise or Corporate Architecture. The purpose of this amendment is to exclude franchise businesses established prior to December 13, 2011 and being located within the Historic District from these ordinance requirements if they obtain a Certificate of Appropriateness from the Historic Preservation Commission. The applicant is the Village of Pinehurst.**

Comments:

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8. **PUBLIC HEARING #3: Official text amendment to the Pinehurst Development Ordinance Section 10.2.5.9 (e) (1) Temporary Signs. This proposed amendment will extend the time that signs, lighting and displays that are part customary holiday decorations or annual civic events may be displayed from 45 to 60 successive days. The applicant is the Village of Pinehurst.**

Comments:

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9. **PUBLIC HEARING #4: Official text amendment to the Pinehurst Development Ordinance Section 10.2.5.3 (j) Prohibited Signs and Section 10.2.5.8 (c) (1) Signs Permitted in Non-Residential Zoning District. These proposed amendments will allow developments located within the Pinehurst South Overlay District to have up to three (3) off-premise signs. The current ordinance does not allow for any off-premise signs. The applicant is the Village of Pinehurst.**

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10. **PUBLIC HEARING #5: Official text amendment to the Pinehurst Development Ordinance Section 10.2.5.7 (a) Comprehensive Sign Plans and Section 10.2.5.8 (c) Signs Permitted in Non-Residential Districts. These proposed amendments will exclude multi-tenant developments located within the Pinehurst South Overlay District from having to meet the comprehensive sign plan requirements of the Pinehurst Development Ordinance. The applicant is the Village of Pinehurst.**

Comments:

NOTE: Since Public Hearings #4 and Public Hearing # 5 concern the same issue, they were heard together.

Director of Planning and Inspections Andrea Correll introduced the Public Hearing and entered into the record a statement that the proposed amendment to the Pinehurst Development Ordinance is consistent with the 2011 Comprehensive Long-Range Village Plan. (Copy of the Comprehensive Plan Consistency Statement dated December 9, 2011 is in the Minute File.)

Robert Hayter, landscape architect representing Mr. Harris Blake, pointed out that Pinehurst South developed before the incorporation of Pinehurst, and there used to be three crossings over the railroad tracks to reach businesses in Pinehurst South. Now, there is only one crossing over the railroad track making it impossible to turn off Hwy. 5 directly to a business. Pinehurst South would like to erect off premises signage to advertise their businesses.

Mayor Pro-Tem Lapins noted that there is a proliferation of signs now, and adding more signs will not enhance this gateway to the Village of Pinehurst. He asked Mr. Hayter if there was a commitment from his firm to make these signs look good.

Mr. Hayter replied that it is not practical to make these signs match what is in the Village since this is a unique situation. He is not asking for a monument sign. He will do the best he can to make them look good.

Councilmember Strickland asked what will happen if the Council passes this amendment.

Mr. Hayter replied that the plan is to have two signs- an off-premises sign for the hardware building and another sign at Parker Lane to direct business to that street.

Councilmember Strickland asked about the signs on Hwy. 5.

Mr. Hayter answered that they will not be removed since they are grandfathered.

11. **ADJOURN PUBLIC HEARING AND RE-ENTER REGULAR MEETING.**

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

12. **OTHER BUSINESS.**

FROM PUBLIC HEARING #1:

- **MEMO- PREPARED BY DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL AND DATED DECEMBER 9, 2011 AS THE COUNCIL**

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STATEMENT THAT DRAFT ORDINANCE # 11-32 IS CONSISTENT WITH THE VILLAGE OF PINEHURST'S 2011 COMPREHENSIVE LONG-RANGE PLAN.

Councilmember Cashion moved to adopt the memo prepared by Director of Planning and Inspections Andrea Correll and dated December 9, 2011 as the Council statement that draft ordinance #11-32 is consistent with the Village of Pinehurst's 2010 Comprehensive Long-Range Plan. Councilmember Parson seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

- **ORDINANCE #11-32: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 10.2.1.3 SR-18 (j) (2) (b) SWIMMING POOL FENCES.**

The Manager explained the need for the Ordinance #11-32. Upon the motion of Councilmember Cashion, seconded by Councilmember Parson, Ordinance #11-32 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

FROM PUBLIC HEARING #2:

- **MEMO- PREPARED BY DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL AND DATED DECEMBER 9, 2011 AS THE COUNCIL STATEMENT THAT DRAFT ORDINANCE # 11-33 IS CONSISTENT WITH THE VILLAGE OF PINEHURST'S 2011 COMPREHENSIVE LONG-RANGE PLAN.**

Councilmember Cashion moved to adopt the memo prepared by Director of Planning and Inspections Andrea Correll and dated December 9, 2011 as the Council statement that draft ordinance #11-33 is consistent with the Village of Pinehurst's 2010 Comprehensive Long-Range Plan. Councilmember Strickland seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

- **ORDINANCE #11-33: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 10.2.2.1 (a) EXTERIOR BUILDING MATERIALS AND SECTION 10.2.2.1 (g) FRANCHISE OR CORPORATE ARCHITECTURE.**

The Manager explained the need for the Ordinance #11-33. Councilmember Parson asked to be recused from the vote on this item since he has a business relationship with Clark Chevrolet which is the business affected by this proposed amendment.

Councilmember Strickland moved that the Council approve the recusal of Councilmember Parson since he has a business relationship with Clark Chevrolet. Councilmember Lapins seconded the motion which carried unanimously by a vote of 5-0.

Upon the motion of Councilmember Cashion, seconded by Councilmember Strickland, Ordinance #11-33 was unanimously approved by a vote of 4-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

Councilmember Strickland and Mr. Troy Clark of Clark Chevrolet discussed the franchise architecture issue. Councilmember Strickland encouraged Mr. Clark to work with General Motors to make changes that will fit the image of the Village of Pinehurst.

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Mr. Clark assured the Council that his objective is a Village of Pinehurst feel with a General Motors influence.

FROM PUBLIC HEARING #3:

- **MEMO- PREPARED BY DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL AND DATED DECEMBER 9, 2011 AS THE COUNCIL STATEMENT THAT DRAFT ORDINANCE # 11-34 IS CONSISTENT WITH THE VILLAGE OF PINEHURST'S 2011 COMPREHENSIVE LONG-RANGE PLAN.**

Councilmember Parson moved to adopt the memo prepared by Director of Planning and Inspections Andrea Correll and dated December 9, 2011 as the Council statement that draft ordinance #11-34 is consistent with the Village of Pinehurst's 2010 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.)

- **ORDINANCE #11-34: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 10.2.5.9 (e) (1) HOLIDAY AND ANNUAL CIVIC EVENT DISPLAYS.**

The Manager explained the need for the Ordinance #11-34. Upon the motion of Councilmember Parson, seconded by Councilmember Lapins, Ordinance #11-34 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

FROM PUBLIC HEARING #4 & 5:

- **MEMO- PREPARED BY DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL AND DATED DECEMBER 9, 2011 AS THE COUNCIL STATEMENT THAT DRAFT ORDINANCE # 11-35 IS CONSISTENT WITH THE VILLAGE OF PINEHURST'S 2011 COMPREHENSIVE LONG-RANGE PLAN.**

Councilmember Cashion moved to adopt the memo prepared by Director of Planning and Inspections Andrea Correll and dated December 9, 2011 as the Council statement that draft ordinance #11-35 is consistent with the Village of Pinehurst's 2010 Comprehensive Long-Range Plan. Councilmember Parson seconded the motion, which was approved by a vote of 4-1, Mr. Lapins casting the dissenting vote. (Copy of the memo is found in the Minute File.)

- **ORDINANCE #11-35: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 10.2.5.3 (j) PROHIBITED SIGNS, SECTION 10.2.5.7 (a) COMPREHENSIVE SIGN PLANS, SECTION 10.2.5.8 (c) MULTI-TENANT LOCATIONS AND SECTION 10.2.5.8 (c) (1) GROUND SIGNS.**

The Manager explained the need for the Ordinance #11-35. Upon the motion of Councilmember Cashion, seconded by Councilmember Parson, Ordinance #11-35 was approved by a vote of 4-1, Mr. Lapins casting the dissenting vote. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

13. COMMENTS FROM ATTENDEES.

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There were none.

14. RECESS.

Councilmember Lapins moved to recess the Regular Meeting to the Council Conference Room for a debriefing concerning the Village Center Business Needs Survey. The motion was seconded by Councilmember Parson and carried unanimously.

15. CALL TO ORDER.

Mayor Nancy Roy Fiorillo called the meeting back to order.

16. DEBRIEFING CONCERNING THE VILLAGE CENTER BUSINESS NEEDS SURVEY.

Assistant Manager Natalie Dean reported to the Council the results of the Village Center Business Needs Survey. (Copy of the Village Center Business Needs Survey is in the Minute File.)

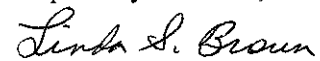
Councilmember Cashion noted that there are two big items on the Capital Improvement Projects list- the Public Services facility and the Community Center. He feels both play a vital part in where we want the Village to go. We need the Public Services facility out of the downtown so we can get in some paying customers; we need the Community Center due to changing demographics. We cannot wait ten years. He encouraged the Council to think outside the box, to take small steps instead of going forward with a whole project at once. He feels we need a new picture of where we want to go- a new picture of New Core, a sequencing so we can see where we are going.

Councilmember Parson added that we need to emphasize to the National Park Service that the Village Green parking is temporary. We will remove the pavers later and downsize the parking lot or get rid of it totally.

17. ADJOURNMENT.

Councilmember Strickland moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Parson and carried unanimously. The meeting adjourned at 3:00_ p.m.

Respectfully Submitted,


Linda S. Brown, CMC