

ORDINANCE #14-09:

AN ORDINANCE AMENDING THE OFFICIAL PINEHURST ZONING MAP AS IT PERTAINS TO THE REZONING OF CERTAIN LAND LOCATED AT 4176 MURDOCKSVILLE ROAD.

THAT WHEREAS, the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance and Map on the 24th day of May, 2005, 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 quasi-judicial public hearing was held at 4:30 p.m. on February 25, 2014 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 the rezoning of approximately 5 acres of land addressed as 4176 Murdocksville Road, further defined as being a part of Moore County LRK # 22010 from R-10 (Single-family residential) to Conditional Use OP (Office and Professional), at which time all interested citizens, residents and property owners in the Village of Pinehurst and its extraterritorial jurisdiction were given an opportunity to provide evidence and/or testimony; and

WHEREAS, the Planning and Zoning Board has recommended the zoning map be amended; and

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

- 1. All exterior siding will be hardiplank. All building roofs will be covered with 30 yr. warranty, antifungal dimensional (architectural) shingles. Each building will have seamless gutters.**
- 2. All buildings will meet or exceed the standards and requirements of the ENERGY STAR 2.0 as verified by an independent, 3rd party expert who assists with project design, verifies construction quality and test completed units.**
- 3. No HVAC unit will be visible from the front of the building and all HVAC units will be screened.**
- 4. Positive drainage will be provided at all driveways, parking areas, ramps walkways and dumpster pads to prevent standing water.**
- 5. The landscape budget per unit will not be less \$1,000 per unit. This is for plants and trees and does not include fine grading, seeding, straw or sod. All plant materials will be native to the climate and area.**
- 6. Fencing complimentary to the appearance of buildings will screen the dumpster area. The pad and approach area will be concrete. A pad**

will be included for recycling receptacles and the property will participate in local recycling programs.

7. Trash/waste/recycling collection will be provided by a private company.
8. Parking - 70 spaces are provided, almost double the .66 space per unit standard for independent, senior living. Additional parallel parking will be added along the main driveway entrance if there is future demand. The Village of Pinehurst Planning/Inspections staff will review and approve all parking expansion plans.

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 as recommended by the Planning and Zoning Board.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in the regular meeting assembled on this 11th day of March, 2014 as follows:

SECTION 1. That the Pinehurst Zoning Map of the Village of Pinehurst and its extraterritorial zoning jurisdiction be and the same hereby is amended by rezoning of approximately 5 acres addressed as 4176 Murdocksville Road, further defined as being Moore County LRK # 22010 from R-10 (Single-family residential) to Conditional Use OP (Office and Professional).

SECTION 2. The rezoning map is attached hereto as exhibit A and made a part hereof, the same as if included verbatim.

SECTION 3. The General Concept Plan and Elevations attached hereto as exhibit B shall control future development on the site and compliance with shall be required.

SECTION 4. That simultaneous to the amendment to the zoning map a conditional use permit be issued for this site along with the agreed upon and approved eight condition(s) attached to the site that are referenced above.

SECTION 5. This Ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 11th day of March, 2014.



VILLAGE OF PINEHURST
VILLAGE COUNCIL

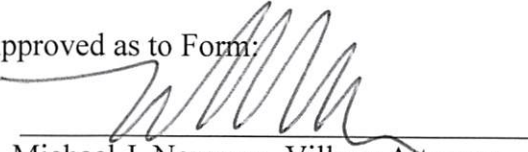
By: Nancy Roy Scoville

Nancy Roy Fiorillo, Mayor

Attest:


Lauren M. Craig, Village Clerk

Approved as to Form:


Michael J. Newman, Village Attorney