

**REPORT OF COMMUNITY MEETING REQUIRED BY
THE CHATHAM COUNTY ZONING ORDINANCE**

To: Chatham County ZONING ADMINISTRATOR

Date: 02/21/18

Proposed Zoning: Conditional Use – Bed and Breakfast Inn

The undersigned hereby certifies that written notice of a community meeting on the above zoning application was given to the adjacent property owners set forth on the attached list by first class mail on 01/09/18. A copy of the written notice is also attached.

The meeting was held at the following time and place: 5:30 pm at Chatham Community Library

The persons in attendance at the meeting were: Beth, Tony, and Emma Pendola, Sherry French, and Frank S. French, Jr.

The following issues were discussed at the meeting: The neighbors sole concern was that we

Not install a commercial, concrete parking lot. We informed them that we would continue to park as the previous inn did; on the asphalt driveway, gravel, and lawn.

As a result of the meeting, the following changes were made to the rezoning petition: _____

No changes were requested. The neighbors told us that they approved of our plan and felt sure that we would have no Troubles winning approval.

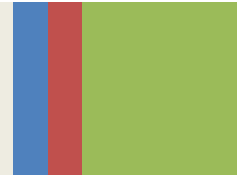
Date: _____

Applicant: _____

By: _____

Please submit this Report to the Chatham County Planning Department located at 80-A East Street, Dunlap Building or mail it to Angela Birchett, Zoning Administrator, PO Box 54, Pittsboro, NC 27312.

Old Lystra Inn
1164 Old Lystra Rd
Chapel Hill, NC 27517-9197



1/9/2018

Re: Development Input Meeting for the Old Lystra Inn located at 1164 Old Lystra Rd, Chapel Hill, NC on February 1, 2018

Dear Adjacent Property Owner:

This letter is to invite you to a community meeting regarding a commercial project on 10.034 acres we are proposing near your property, on Parcel Number 18649. Our proposal is to restore the former use of the Windy Oaks Inn as a Bed & Breakfast with weddings and other events. Although these uses were previously permitted, that permission expired when the property sat vacant for more than a year. An informal community meeting will be held on February 1, 2018 beginning at 5:30 pm in the Double Study room at Chatham Community Library located at 197 NC-87 in Pittsboro and lasting approximately one hour. The proposed project will be served by existing well water and sewer. Plans of our proposed development will be shown and you will have the opportunity to voice your concerns and ask questions of people knowledgeable about the details of our project. Our plans may be revised based on your input before we submit to the County.

This meeting is required as part of the County zoning process; however, County staff will not participate in the meeting. We are planning to submit our official plans to the County Planning Department in the near future. You will receive a notice from the County about this submittal once the application has been made.

We would appreciate your attendance and input at the community meeting. If you have questions before the meeting, please contact us.

Respectfully,

Beth and Tony Pendola
919-303-7363
beth@oldlystrainn.com

Attachments

Detailed Description of the Project

Section A – Answers

Legal Description

Adjacent Property Owners

Deed

Photograph of the Front

Photograph of the Rear

Zoning Map

Plat Map

Topographic Map

Parcel Map

Site Map

Landscape Map

Aerial Map

Historical Documents



Old Lystra Inn, currently a bed and breakfast home in Chatham County, is the residence of Tony and Beth Pendola and 3 of their 4 children. The Pendola family purchased the home in May of 2017 with the intent to revitalize its history, formerly known as Windy Oaks Inn, and host overnight guests as well as host weddings and other types of events in the community. As the estate was once the home of Pulitzer Prize winning author, Paul Green, the Pendolas also hope to share the historic property with those in the community who are interested in remembering this iconic humanitarian and playwright. They are working closely with the Paul Green Foundation toward those ends.

During its years as Windy Oaks Inn, a well-remembered bed and breakfast, banquet hall, and wedding venue, the home had extensive work done to manage large numbers of guests. There is an existing, commercial septic system with three outdoor lavatories which can accommodate 250 guests.

As it is first and foremost their residence, the Pendolas desire to change very little about the property. It has already been adapted for their desired use by previous owners. Essentially, they plan to do some landscape restoration, prepare a plot for a large tent and extend the driveway to create a better traffic flow. They have presented their plans to neighbors and were very well received by those in attendance. No concerns were raised at the meeting over the plans we are presenting.

The bed and breakfast home is located at 1164 Old Lystra Road, approximately one mile from US 15/501 and two and a half miles from Mount Carmel Church Road. It is currently zoned R-1. The home used to operate as a bed and breakfast inn and wedding venue but sat vacant for a decade and lost that zoning through disuse.

The only known easement is the forty foot right-of-way buffer from the centerline of Old Lystra Road. The property encompasses five structures. The 1890s era Piedmont T-Style Farmhouse is approximately 119 feet by 69 feet and is 30 feet tall. Paul Green's writing cabin, which is a converted tobacco barn, is in terrific shape for its age and is approximately 19 feet by 27 feet (513 square feet) and is 13 feet tall. The outdoor bathrooms were most likely attached to the cabin in the late 1990s. They measure 23 feet by 10 (230 square feet) feet and are 13 feet tall. The corn crib appears to be quite old and measures 8 feet by 16 feet (128 square feet) and is 13 feet tall. The wellhouse is a more recent addition and measures 8 feet by 24 feet (192 square feet) and is 8 feet tall. The minimum setback on the property occurs at the tent area in the woods and is over 70 feet. This is over two times the 25 foot setback and therefore meets the conditional use requirement. Since the property is 10.034 acres, it is over the conditional use required 3 acre minimum as specified in Section 10.13 Table 1 – Zoning Table Of Permitted Uses.

Section A - Answers

Finding 1:

The current use in R-1 is a bed and breakfast home. The proposed conditional use will be a conforming bed and breakfast inn. A Bed and Breakfast Inn is a "Small, owner-operated businesses where usually the owner lives on

premises but is not required to do so. The building's primary usage is for lodging of overnight guests and meals served in conjunction with the stay of guests. Inns advertise, have business licenses, comply with government ordinances, pay all appropriate taxes and post signs. The inn may host events such as weddings, small business meetings, et cetera, with up to 6 overnight rooms for rent to overnight guests provided all other local and state requirements are met."

Finding 2:

Chatham County is experiencing remarkable growth. As such, new services are required to serve our new residents. Weddings typically draw clients from about a 30 mile radius. This encompasses well over a million people. Cities include the entire Triangle area as well as Roxboro to the North, Burlington and Siler City to the West, Pittsboro and Fuquay Varina to the South, and Wake Forest to the East. A typical wedding also involves out of town guests and can require booking over 30 room nights. The close proximity to the county line and Chapel Hill address will no doubt draw tax revenue from Orange County as well as other neighboring counties. We anticipate that the increased enrollment of nearby universities and the build out of Chatham Park will provide a plethora of new clients. Many of the wedding venues in the Triangle are completely booked in excess of a year in advance.

A study prepared for Visit North Carolina by the U.S. Travel Association showed that the visitor industry generated a payroll total of \$4.19 million in Chatham County. Visitors generated over \$2 million in state sales and excise taxes, and taxes on personal and corporate income. With an additional \$620,000 in local tax revenues, each county resident saved \$36.14 in taxes in 2016.

"We have spent the last two decades mining our strengths in Chatham County," said Neha Shah, director of the countywide CVB. "Our strong tourism focuses include culinary, agritourism, green travel, and weddings, with cost ranges from more affordable levels to luxury experiences. Our guests want the charm and character offered here, with all the conveniences, so they are not forced to compromise on exceptional social occasions and events."

The Old Lystra Inn is one of only a few outdoor, natural wedding venues in Chatham County. Similar venues include: The Fearington Barn, The Parlour at Mann's Chapel, Forest Hall at Chatham Mills, The Bradford, Governor's Club Golf Course, Doyle's Vineyard, Shady Oaks Farm, Lavender Oaks, and farther away The Barn at Woodlake Meadows. It is difficult to say how many jobs will be created. The Inn will be family run, however, outside vendors associated with the industry will most certainly need more employees. These services may include photographers, videographers, bakers, caterers, hair and makeup stylists, officiants, deejays, calligraphers, and ancillary services such as dry cleaners, hotels, restaurants, and gas stations.

Finding 3:

Activities will occur in the rear of the property and will pull traffic in. Peak traffic will occur on Saturdays when traffic flow is considerably lighter than during weekday rush hours. Arrivals typically occur around 2-4pm with departures around 8-10 pm. A large wedding will involve fewer than 200 guests and therefore fewer than 100 cars. Some hotels may also provide shuttle service cutting down on the number of vehicles. There will be no need for people to park off the street and no need for a dedicated turn lane. During events, tradespeople will utilize the first 15 parking places near the garages. Early guests will be directed around the circular drive to the front lawn parking. After those are full, guests will park along the gravel and asphalt drives. For very large events, overflow parking will utilize the front lawn on the East side of the driveway. A single, existing twelve-foot-high sign marks the driveway. The old colonial hanging sign with "Windy Oak Inn" (where the vinyl letters for Inn were removed but are still visible) will be replaced with a new, rectangular sign the same size (30 inches by 36 inches) with the new name and logo with dentil, crown, molding at the top. It will be lit with low wattage, solar, LED lights. A historic marker exists at the corner of US 15/501 and Old Lystra Road. Consistent with the Chatham County sign ordinance, we may seek permission to add a sign at that intersection in the future. A Windy Oaks Inn sign currently exists at the corner of Old Lystra Road and Mount Carmel Church Road. The new name and logo will be added to it. Solar lighting may be added to that location in the future. The house and cabin have typical outdoor sconce lights and security lights. The Chapel Hill gravel walkway will be lit with solar pathway lights. Low wattage market lights hanging from poles will be utilized for any uncovered receptions if the guests so

choose. Any nighttime tent receptions can use market lights or chandeliers depending on guest preferences. Deejays often provide LED lighting for effect. All lighting will comply with Section 13 of the Zoning Ordinance. All noise will remain below the limits in the Zoning Ordinance which is currently 80 dB at the property limit until 11pm. There will be no use of chemical, biological, or radioactive materials. Of the four level locations where a tent can be erected, only one could be visible from the road. It will be largely screened from existing mature trees in the road right-of-way, existing magnolias, and crape myrtles along the driveway, and existing heavy woods past the eastern lawn. The character of the area will be maintained due to the minimal land disturbance and rural nature of the project.

Finding 4:

The property is at the highest point in the area for approximately a mile and therefore is not in a watershed designation, has no creeks, floodable areas, wetlands or water hazard setback areas. The allowed impervious surface is 3.61 acres of the 10.034 total acres. New gravel will add a mere eighth of an acre. As such, no environmental impact Assessment is required. All stormwater falls on site and travels via sheet flow. The vast majority of the property will remain heavy woods with mature oaks. Other riparian buffers including country grass, zoysia sod, and mulched slopes are integral to the site. Stormwater replenishes the well water aquifer onsite.

An outdoor wedding venue is the highest and best use for this property as witnessed by its previous owners. Activities will occur in the rear of the property and will pull traffic in. There will be no need for people to park off the street. The most minimal application of this use is the one we have proposed. We will not erect any new structures, we will not add any concrete parking lots and will not tear down any mature trees as they are the focal point of the property. The property will look essentially the same as it has for decades. As homeowners who live in the house, we will typically operate on a very limited basis which is expected to be Saturdays during the months of March-June and September-October. We will also be onsite to ensure safety, standards, and maintenance are continually addressed.

Please reference the findings above for details of how the project melds with the 2017 Comprehensive Plan. Here are some of the Objectives that we believe will be met:

1. Preserve the rural character and lifestyle of Chatham County. • Preserve and restore cultural and historic resources (Chatham County's only link to Paul Green) that contribute to the identity of the County. • Preserve forests and open space in the eastern part of the County. • Leverage assets to promote entrepreneurship and tourism.
2. Preserve, protect, and enable forestry. • Maintain the number and diversity of forestry operations. • Reduce encroachment on or development pressure on forestry. • Avoid conflicts between agriculture and residential development over water availability (Most of our 10 acres will remain forested and well water will be used)
3. Promote a compact growth pattern by developing in and near existing towns • Reduce impacts to natural resources and systems. • Lessen infrastructure burden and long-term cost of providing services. (The absence of need for new, or taxing of existing, infrastructure due to existing well and septic enables this focus)
4. Diversify the tax base and generate more high-quality, in-county jobs to reduce dependence on residential property taxes, create economic opportunity and reduce outcommuting. • Increase non-residential share of the tax base. • Increase high-quality, in-county jobs. • Strengthen support for existing businesses, including small and medium-sized firms.
5. Conserve natural resources. • Maintain and restore the quality and quantity of groundwater and surface water resources. • Preserve and protect the ecosystem services provided by green infrastructure. • Avoid or minimize landscape fragmentation. • Preserve night skies by minimizing light pollution.
6. Provide access to open space.
7. Provide infrastructure to support desired development and support economic and environmental objectives. • Focus the development of utilities and urban services to foster compact development and support economic development in defined areas. (The absence of need for new, or taxing of existing, infrastructure due to existing well and septic enables this focus)

Finding 5:

All utilities are pre-existing and adequate for the proposed use. The property is served by well water, septic, and private trash haulers and will generate tax revenue without requiring commensurate services. No additional costs or infrastructure are needed from the County. With three, level, rear lawns and an expansive front lawn, we anticipate some guests will enjoy lawn games and strolling. All trash will be picked up at the close of an event and either hauled off by vendors or disposed of by a private contractor.

Legal Description

Being all of Tract #1of that Recombination Plat by Batts Surveying entitled “Survey for David N. Lowe, Jr. and spouse Dominique G. Lahaussais, 1164 Old Lystra Rd,” and recorded in Plat Book 2016 Page 48 of the Chatham County Registry, to which Plat reference is hereby made for a more particular description of same.

Adjacent Property Owners

Frank S. French
Sherry W. French
1188 Old Lystra Rd
Chapel Hill, NC 27517

Bonnie B. Terrell
607 Mitchell Ave
Salisbury, NC 28144

Nora H. Morphis
1058 Old Lystra Rd
Chapel Hill, NC 27517

Keith Alston
1000 Old Lystra Rd
Chapel Hill, NC 27517

Malcolm T. Craig
Demetria T. Craig
514 Luna Ln
Chapel Hill, NC 27517

BK 1926 PG 0612

FILED ELECTRONICALLY
CHATHAM COUNTY NC
LUNDAY A. RIGGSBEE
REGISTER OF DEEDS

FILED Jun 02, 2017
AT 02:34:39 PM
BOOK 01926
START PAGE 0612
END PAGE 0613
INSTRUMENT # 06052
EXCISE TAX \$2,500.00

Excise Tax: \$2,500.00

NORTH CAROLINA GENERAL WARRANTY DEED

Property Address: 1164 Old Lystra Road, Chapel Hill NC 27517 PIN: 9776-02-95-6110

Parcel ID No.: 0018649

BRIEF LEGAL DESCRIPTION: TRACT #1 PROPERTY OF LOW & LAHAUSSOIS P2016/48

This instrument was prepared by: James E. Tanner III, The Tanner Law Firm PLLC, 605 West Main St., Suite 102A, Carrboro, NC 27510 **without benefit of title search, RETURN TO GRANTEE at property address.**

THIS DEED ENTERED INTO THIS THE 25 DAY OF April, 2017 BY AND BETWEEN:

GRANTOR	GRANTEE
DAVID N. LOW, JR. and DOMINIQUE G. LAHAUSSOIS, a married couple	JOSEPH PENDOLA and ELIZABETH PENDOLA, a married couple
	1164 Old Lystra Road Chapel Hill, NC 27517

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of **Chapel Hill, Chatham County**, North Carolina and more particularly described as follows:

BEING ALL OF TRACT #1 of that Recombination Plat by Batts Surveying entitled "SURVEY FOR DAVID N. LOW, JR. and spouse DOMINIQUE G. LAHAUSSOIS, 1164 Old Lystra Road," and recorded in Plat Book 2016 Page 48 of the Chatham County Registry, to which Plat reference is hereby made for a more particular description of same.

All or a portion of the property herein conveyed X includes or _____ does not include the primary residence of a Grantor. (NC GS § 105-317.2)

The property hereinabove described was acquired by Grantor by instrument recorded in **Book 849 Page 114, Chatham County Registry.**

Submitted electronically by "Law Offices of Jonathan Richardson"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Chatham County Register of Deeds.

A map showing the above described property is recorded in Plat Book 2016 Page 48

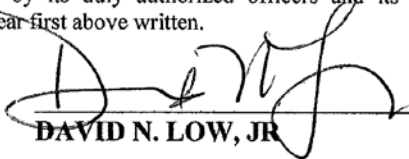
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

Subject to 2017 taxes, easements, conditions and restrictions of record, if any.

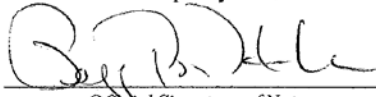
IN WITNESS WHEREOF, the Grantor/s has/have hereunto set his/her/their hands and seals, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

 (SEAL)
DAVID N. LOW, JR

 (SEAL)
DOMINIQUE G. LAHAUSSOIS

STATE OF California, San Francisco COUNTY

I certify that **DAVID N. LOW, JR. and DOMINIQUE G. LAHAUSSOIS**, who is/are known to me or proved to me on the basis of satisfactory evidence to be the person/s described, personally appeared before me this day, acknowledging to me that he/she/they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated. Witness my hand and official seal this 25 day of April, 2017.


Official Signature of Notary
Peppina Rayna Harlow, Notary Public
Notary's printed or typed name



My commission expires: October 7, 2017

The foregoing Certificate(s) of _____

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

REGISTER OF DEEDS FOR _____ COUNTY

By _____ Deputy/Assistant-Register of Deeds.

Chatham County Board Of Commissioners Meeting Minutes – 9/20/04

“Kim Oglesby, 1164 Old Lystra Road, Chapel Hill, NC, stated that she is part owner of Windy Oaks Inn; that she would like to see all of Old Lystra Road with good homes; that she purchased her property in December 2000 in order to establish a bed and breakfast inn; that the historic property and former and final home of Paul Green, North Carolina’s Pulitzer prize winning playwright, offers a quiet retreat with country atmosphere for staying guests; that they host events and weddings which primarily take place out-of-doors; that they are chosen because of the serene nature and opportunity to get away from noise and chaos of the city; that they feel if the request is permitted, the noise and constant running of dump trucks will prove to be devastating to her business; that her guests would be disturbed early in the morning; that she pays her property and occupancy taxes; that she has spent nearly four years building the business; that the property was chosen based on no business and industrial development in the area; that she feels the request will directly and negatively effect property values for all surrounding properties; and that if the proposal goes through, she would ask that the hours be limited.”