

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
Town of Linden
David Averette,
Dr. Marion Gillis-Olion
Roy Turner
Cumberland County



COUNTY of CUMBERLAND

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Joint Planning Board

Nancy Roy, AICP
Director
Thomas J. Lloyd,
Deputy Director

Joe W. Mullinax,
Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Vacant,
Town of Stedman

TENTATIVE AGENDA

September 21, 2004

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRALS
 - A. P04-60: REZONING OF 19.25 ACRES FROM RR TO C(P), OR A MORE RESTRICTIVE ZONING DISTRICT, AT 8024 RAEFORD ROAD, OWNED BY ANN P. KIRBY.
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. CONSENT ITEMS
 - A. APPROVAL OF THE MINUTES OF SEPTEMBER 7, 2004

REZONING CASES

- A. P04-61: REZONING OF 6.02 ACRES FROM A1 TO R40A OR A MORE RESTRICTIVE ZONING DISTRICT, AT 592 MAGNOLIA CHURCH ROAD, OWNED BY DOROTHY L. SPEARS.
- B. P04-64: REZONING OF THREE PARCELS TOTALING 64.65 ACRES FROM RR TO R10, OR A MORE RESTRICTIVE ZONING DISTRICT, ON THE SOUTH SIDE OF SNOW HILL ROAD, WEST OF CLAUDE LEE ROAD, SUBMITTED BY CRAWFORD DESIGN COMPANY.
- C. P04-65: REZONING OF 1.79 ACRES FROM A1 TO R40 AT 1333 CYPRESS LAKES ROAD, SUBMITTED BY ROBERT M. BENNETT.
- D. P04-62: REZONING OF .31 ACRES FROM C(P) TO R6A, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 5000 CUMBERLAND ROAD, OWNED BY HOLLIS L. LUDLUM.

CONDITIONAL USE OVERLAY DISTRICT AND PERMIT CASE

- A. P04-36: REZONING OF 2.10 ACRES FROM M(P) TO RR/CU, OR A MORE RESTRICTIVE ZONING DISTRICT, AND A CONDITIONAL USE OVERLAY DISTRICT AND PERMIT TO ENFORCE COMPLIANCE WITH THE ZONING ORDINANCE, AT 1440 KINGSTOWN COURT, SUBMITTED BY TOMMY L. DAVIS.

VII. PUBLIC HEARING ITEMS

- A. P03-91: CONDITIONAL USE OVERLAY DISTRICT AND PERMIT TO ALLOW A JUNK YARD AND OPEN STORAGE OF EQUIPMENT IN AN A1 DISTRICT ON 3.21 ACRES ON THE NORTHEAST SIDE OF WHITEHEAD ROAD, NORTH OF NC HIGHWAY 24, OWNED BY ZARKO JOHNSON.
- B. P04-54: REZONING OF FOUR PARCELS TOTALING 149.01 ACRES FROM A1 TO R10, OR A MORE RESTRICTIVE ZONING DISTRICT, SOUTH OF UNDERWOOD ROAD, EAST OF RIVER ROAD, SUBMITTED BY JOHN KOENIG.
- C. P04-58: REZONING OF FOUR PARCELS TOTALING 1.30 ACRES FROM R6A TO C(P), OR A MORE RESTRICTIVE ZONING DISTRICT, ON THE WEST SIDE OF DEAYER CIRCLE, SOUTH OF ROCKFISH ROAD, SUBMITTED BY ROBERT M. BENNETT.
- D. P04-59: REZONING OF .39 ACRES FROM C3 TO R6, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 1310 MACK STREET, SUBMITTED BY SAMUEL C. SMITH. (SPRING LAKE)
- E. P04-63: REZONING OF A .77-ACRE PARCEL AND A .70-ACRE PORTION OF A 280-ACRE TRACT FROM A1 TO R40, TOTALLING 1.47 ACRES, ON THE NORTH SIDE OF CARL FREEMAN ROAD, NORTHEAST OF NC HIGHWAY 210 SOUTH, OWNED BY JOHN HORNE.

VIII. DISCUSSION

- A. REPORT FROM LAND USE CODES COMMITTEE—DAVID AVERETTE

IX. FOR YOUR INFORMATION

- A. DIRECTOR'S UPDATE

X. ADJOURNMENT

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MINUTES
September 7, 2004

Members Present

Chair Clifton McNeill

Vice-Chair Charles Morris
Mr. David Averette
Mr. Donovan McLaurin
Mr. Roy Turner

Members Absent

Dr. Marion Gillis-Olion

Mr. Joe W. Mullinax
Vacant Stedman Rep.

Others Present

Mr. Tom Lloyd, Dep.
Director
Ms. Donna McFayden
Ms. Patti Speicher
Ms. Barbara Swilley
Mr. Grainger Barrett,
County Attorney

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Vice-Chair Morris delivered the invocation, and Chair McNeill led those present in the Pledge of Allegiance.

II. APPROVAL OF/ADJUSTMENTS TO AGENDA

A motion was made by Mr. Averette and seconded by Mr. Turner to approve the Agenda as submitted. The motion passed unanimously.

III. PUBLIC HEARING DEFERRALS

There were no public hearing deferrals.

IV. ABSTENTIONS BY BOARD MEMBERS

There were no abstentions by Board members.

V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

Mr. Lloyd read the Board's policy regarding public hearing time limits.

VI. CONSENT ITEMS

A. APPROVAL OF THE MINUTES OF AUGUST 17, 2004

Chair McNeill pointed out in the minutes that "200" homes should have been "2,000" homes. A motion was made by Vice-Chair Morris and seconded by Mr. Turner to approve the Minutes of August 17, 2004 with the correction. The motion passed unanimously.

VII. PUBLIC HEARING ITEMS

- A. P04-52: REZONING OF 1.02 ACRES FROM RR TO C1/CU OR A MORE RESTRICTIVE ZONING DISTRICT AND A CONDITIONAL USE OVERLAY DISTRICT AND PERMIT FOR A CONVENIENCE STORE AND RESTAURANT, AT 6576 US HIGHWAY 301 SOUTH, SUBMITTED BY YOUNGER S. WOOD.

Maps and slides were displayed indicating the zoning and land use in the area. Mr. Lloyd reported that the staff recommended approval of the Conditional Use Overlay District based on the findings that the request is reasonable, not arbitrary or unduly discriminatory and in the public interest.

The Planning staff recommends approval of the Conditional Use Overlay Permit based on the findings that the proposal:

1. Will not materially endanger the public health and safety;
2. Will not substantially injure the value of adjoining or abutting property;
3. Will be in harmony with the area in which it is to be located; and
4. Will be in conformity with the 2010 Land Use and Thoroughfare Plans.

The Planning staff recommends the following conditions be added to the Conditional Use Overlay Permit:

1. The tract is to be buffered on each side starting 15 feet from the road right-of-way to the rear and the entire rear of the property; and
2. One 50-square foot sign per establishment is allowed.

Chair McNeill asked why the shape of the tract was different on the site plan than on the sketch map. Mr. Lloyd explained some of the corners of the lot had been changed in order to square off the lot as a result of a trade between the previous owner and the church, and the differences would have to be rectified between the property owner and the bank.

Chair McNeill asked how the buffering would be addressed with the differences. Mr. Barrett said that the buffering would be based on the legal description of the lot.

Mr. Lloyd introduced the packet materials into the record.

The public hearing was opened.

Mr. Stuart Clarke appeared before the Board and said that he represented the applicant. He said that the property was purchased after foreclosure and was operated as a store for 20 years prior to the foreclosure. Mr. Clarke said that this hard case cried out for compromise, and that is what the Commissioners suggested by sending it back to the Planning Board for a Conditional Use Overlay District/Permit. Mr. Clarke said that his client was willing to comply with the staff's conditions and was also not planning to have any on-premises alcohol sales. He said that he would like to have an off-premises alcohol license to sell beer and wine and would agree not to sell until after 2:00 p.m. on Sundays. He said Mr. Wood has cleaned up the abandoned property and invested a large amount of

money into it. He said that he hopes the concessions would leave room for a compromise.

Mr. Clarke presented a notarized letter by the previous owner indicating that the convenience store existed on the site for 20 years and sold alcohol. He said that the Woods would be willing to buffer the site and added that the store is 130 feet from the church's property line and another 170 feet from the actual church building. He said that the Woods want to be good neighbors.

Ms. Sherry Wood appeared before the Board and said that she is willing to work with the church if they're willing to work with the Woods. She added that she doesn't want to be a bad neighbor.

Mr. Lloyd informed the Board that he has a print out from the State website establishing that an ABC Permit was issued from 1986 through 2003.

Mr. Steve Wood appeared before the Board and said that he intends to operate a convenience store. Chair McNeill asked about the restaurant requested in the permit. Mr. Wood said that it would be four to six years before they could open the restaurant, and no alcohol would be served in the restaurant.

Mr. McLaurin asked if the property was represented as commercial or residential when Mr. Wood purchased it. Mr. Wood said that he was told it was commercial property. Mr. McLaurin asked what type loan was received, and Mr. Wood said he believed it was a commercial loan. He said that he, the bank and the realtor understood that the property was grandfathered and didn't realize that the site not operating for one year meant that the commercial status lapsed. Mr. McLaurin asked if there was any recourse, and Mr. Wood said that he didn't know what could be done at this point.

Mr. McLaurin asked if there were any other deeds, and Mr. Wood said that he was not aware of any. He indicated the current property lines.

Mr. Turner said that there is another convenience store $\frac{3}{4}$ mile from the subject property. He asked how long it had been operating, and someone from the audience said it had been in operation for several years.

Mr. Willie Chaison appeared before the Board and said that he lives near the other convenience store (Pit Stop), and there have been many accidents near it. He said that if the Woods open this store, it should alleviate some of the danger from people turning into the other store and possibly avoid accidents.

Mr. Anthony Ford, pastor of the AME Church that adjoins the subject property, appeared before the Board and said that the church's objection is alcohol sales next to the church building. He said that the previous speaker wants to alleviate traffic down the road and put it at this location, and it is already difficult to get out of the church parking lot. He said that the church wasn't financially able to purchase the property when it was available. Mr. Ford said that 65 percent of the patrons at the Pit Stop are black and purchasing alcohol. He said one store selling alcohol in the area is enough.

Chair McNeill said that the Board does not have authority to issue ABC Permits and explained the Board's function in approving rezoning.

Mr. Ford asked what an overlay is, and Chair McNeill said that the Woods requested straight zoning at the last meeting, and the Board recommended denial. He explained that the overlay could restrict a site to specific uses at the applicant's request.

Chair McNeill further explained that the Board considers Conditional Use Overlay Permits based on whether the requested use(s) would be appropriate for a particular area. He said that the Board can place conditions on things like hours of operation, buffering and parking, but generally not what is sold inside the store.

Chair McNeill asked if Mr. Ford agreed with the hours of operation and buffering that the staff recommended. Mr. Ford said that the church wants to put in a Family Life Center, and the buffering may in fact not be good.

Mr. Barrett said that the philosophy and approach that staff has brought to the Board has a foundation of uses recognized in the Zoning Ordinance, and there is no category just for the sale of alcohol, which is included under food sales. He said that the Board considers the uses allowed in an underlying zoning district and the parallel districts that would be appropriate.

Mr. Lloyd said that the RR District allows clubs and lodges as a Specified Conditional Use, and clubs and lodges may or may not have alcohol sales.

Mr. Barrett said that the Board addresses the uses requested, eliminates the other allowed uses and issues and approves a permit that imposes conditions to protect the area and how the activity is operated.

Ms. Lillian Maynor appeared before the Board in opposition and said that she doesn't want alcohol sold because of the youth in the area and the detriment to the neighborhood. She said that the church is nearly 123 years old and wants to keep the neighborhood nice.

Mr. McLaurin asked if the church had any problems when the other store was open, and Ms. Maynor said that she didn't know of any.

Mr. Walter McPherson appeared before the Board in opposition and said that he has been a member of the church for 15 years, and the Pit Stop has been there all that time. He said that there has never been any congestion at the Pit Stop, and drunk drivers—not congestion—cause the accidents.

Chair McNeill said that the staff recommended approval of the Conditional Use Overlay Permit with conditions. He asked Mr. McPherson how he felt about the hours alcohol would be sold being limited. Mr. McPherson said that the previous owner may have had an ABC permit, but he never saw alcohol on display at the store. He said that he was opposed to the sale of alcohol that close to the church. He said that the church is used to keep people off of the streets, and alcohol doesn't help.

Chair McNeill asked what nights services were held at the church building. The members said that activities are held several nights a week, such as Bible studies, choir practice, and it is also used on Saturday mornings.

In rebuttal, Mr. Clarke said that he consulted with Mr. Wood, and he is sympathetic to the church and is willing to close the convenience store from 10:00 p.m. Saturday evening until 2:00 p.m. on Sunday.

Mr. Turner asked about the buffer. Mr. Lloyd said that it would follow the Ordinance requirements unless the Board members chose to change it. He said that they could make whatever reasonable changes they desired.

Vice-Chair Morris asked if the Commissioners have authority to regulate alcohol sales. Mr. Barrett said that the issue could be challenged, and added that the petitioner according to North Carolina law must agree to any condition placed on a Conditional Use Overlay Permit. Chair McNeill noted that the owner had agreed to the conditions thus far.

Chair McNeill said that he had sympathy for the Woods because of the unfair situation that was created from the realtor and bank not being aware of the circumstances. He said that there seems to be very little give on either side—little concession from Mr. Wood or from the church members. He said that the other storeowners had the right to sell alcohol, and there were no problems in the past, but the church isn't willing to even consider the conditions recommended to be placed on the Conditional Use Overlay Permit that could lead to a good compromise. He said because of this, it will be up to the Board and County Commissioners to make a decision for them. He said that they were given an opportunity to work it out.

Mr. Barrett said that he was just informed that Mr. Wood was willing to close the convenience store all day on Sundays.

Mr. McLaurin said that on an earlier case, the Board agreed to buffering, and then the Commissioners changed it, so it didn't seem to be worth much for the Board to place restrictions on the applicants. He noted that Mr. Barrett had said earlier that the applicants must agree to the conditions and asked why that didn't matter at the Commissioners' meeting. Mr. Barrett said that the applicant does have to agree, but the Commissioners have the right to change the conditions, again with the applicant's agreement.

Vice-Chair Morris asked what the main objection was, and Mr. Ford said that the sale of alcohol because it undermines what the church is trying to accomplish—to bring the community together.

Vice-Chair Morris then asked Mr. Wood if alcohol sales are a must for his business to be viable. Mr. Clarke said that sale of alcohol is necessary to make a go of the business, and it would not be economically viable without it.

Mr. Turner said that the Board members had heard good discussion and points from both sides. He said that the neighbors need to show compassion to each other. He said that Ms. Maynor said that there had not been problems in the past with the other store, and alcohol sales are legal in the County. He said he'd like for everyone to show compassion and realize that no one is out to get anyone else.

Chair McNeill asked what days and hours regular worship services were held. Mr. Ford said that they are Sunday at 9:45 a.m. and again at 6:00 p.m. and Wednesday,

from 7:00 p.m. until 8:30 p.m. Chair McNeill asked if this schedule had been in place for years, and Mr. Ford said that it had.

Chair McNeill asked why 24 hours, seven days a week was requested in the application. Mr. Wood said that he was anticipating future hours. Chair McNeill asked what hours would be required for the operation of the store. Mr. Wood said that they would like to operate from 6:00 a.m. until 10:00 p.m. six days a week. Chair McNeill asked if they would be willing to close at 7:00 p.m. on Wednesday. Mr. Wood said that they would.

Mr. Turner read the purpose of the C1 Local Business District and said that it fits the criteria of the request. He said Mr. Wood had made many concessions to accommodate the church. Chair McNeill said given the fact that the store has been there and has probably sold alcohol in the past, he asked if the concessions would make the proposal any more palatable to the church. Mr. Ford said that they have and asked if they would be in writing. Mr. Barrett said that the stipulations once approved would be in writing, and any modifications to them would require another public hearing, and the church would be notified. He said that the stipulations are as permanent as any law and can be changed just like legislators have the power to change laws.

Mr. Ford said that first this Board denied the request, now they're approving it, and everything could change in the future. Chair McNeill said that the Board voted against the request last time because it was a rezoning request and contained no restrictions. He said that it is different now, and the Commissioners asked the Board to consider something more restrictive than the straight rezoning request.

Mr. McLaurin asked about the future restaurant, and Mr. Wood said it would be in the distant future. He asked about the 15-foot area that was not to be buffered, and Mr. Lloyd said it was for the line of sight and safety. He said he thought there had been an exchange with the church of two triangular pieces to square off the lot.

Mr. Roy Morrison said that he was a trustee at the time that the exchange was made. He indicated on the map where the line was and what two triangular pieces had been exchanged in order to square off the lot and add more frontage. He added that he had never seen alcohol sold at the previous store. Chair McNeill said that the staff had a copy of the ABC Permit allowing alcohol sales at the store.

Mr. McLaurin asked if the house could be used as a residence under the proposed zoning. Mr. Lloyd said that it could not.

A motion was made by Mr. McLaurin and seconded by Mr. Turner to follow the staff recommendations and approve the C1/Conditional Use Overlay District based on the findings that the request is reasonable, not arbitrary or unduly discriminatory and in the public interest.

Mr. Averette asked if the C1 Local Business District should be approved separately, and Mr. Barrett said it could be accomplished with this motion.

Upon a vote on the motion, it passed unanimously.

A motion was made by Mr. McLaurin and seconded by Mr. Turner to follow the staff recommendations and approve the Conditional Use Overlay Permit based on the findings that the proposal:

- 1. Will not materially endanger the public health and safety;**
- 2. Will not substantially injure the value of adjoining or abutting property;**
- 3. Will be in harmony with the area in which it is to be located; and**
- 4. Will be in conformity with the 2010 Land Use and Thoroughfare Plans.**

The motion included the following conditions:

- 1. A seven-foot tall shadowbox, dog-eared fence is to be placed no more than one foot off of the ground on one side 15 feet from the street right-of-way around to the rear where the subject property abuts the church property and with greenery on the church side of the fence planted no more than 10 feet apart. The fence and greenery are to be maintained in good repair and repair, and the vegetation nurtured;**
- 2. The hours of operation are to be 6:00 a.m. until 10:00 p.m. Monday and Tuesday, 6:00 a.m. until 7:00 p.m. on Wednesday and 6:00 a.m. until 10:00 p.m. Thursday through Saturday, and closed on Sunday;**
- 3. No on-premises consumption of alcohol is allowed;**
- 4. The future restaurant is to be eliminated from the request; and**
- 5. One 50 square foot sign is allowed for the convenience store.**

Mr. Turner asked who would make sure that the conditions are kept. Mr. Barrett said that the Code Enforcement Officers respond to complaints and do spot checks.

Mr. Barrett asked the Chair to ask the petitioner if he agreed to all of the conditions. Mr. Clarke said that Mr. and Mrs. Wood agree to all of the conditions.

Upon a vote on the motion, it passed four to one with Vice-Chair Morris voting in opposition.

VIII. DISCUSSION

A. REPORT ON LAND USE CODES COMMITTEE—DAVID AVERETTE

Mr. Averette said that the engineers and surveyors said that they hadn't had enough time to review the proposed Zoning Ordinance, and he said that the Committee voted to give them 30 days to review the document and submit their comments. He said that they hope to bring the Zoning Ordinance to the full Board by October 19.

IX. FOR YOUR INFORMATION

A. DIRECTOR'S UPDATE

Mr. Lloyd reported that Ms. Roy is on a cruise to Nova Scotia.

X. ADJOURNMENT

There being no further business, the meeting adjourned at 8:35 p.m.

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September 14, 2004

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: RECOMMENDATIONS FOR
SEPTEMBER 21, 2004 MEETING

P04-61: REZONING OF 6.02 ACRES FROM A1 TO R40A OR A MORE RESTRICTIVE ZONING DISTRICT, AT 592 MAGNOLIA CHURCH ROAD, OWNED BY DOROTHY L. SPEARS.

The Planning staff recommends approval of the R40A Residential District based on the following:

The uses allowed in the R40A District are consistent with those currently in the area and compatible with the character of the neighborhood.

The Planning staff finds that the subject property is also suitable for the A1A and R40 Districts.

SITE PROFILE

P04-61

REZONING OF 6.02 ACRES FROM A1 TO R40A OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 592 MAGNOLIA CHURCH ROAD, OWNED BY DOROTHY L. SPEARS.

Site Information:

Applicant/Owner: JAMES AND CHRISTY SPEARS / DOROTHY L. SPEARS

Area: 6.02 acres

Frontage & Location: 370 feet on Magnolia Church Road

Depth: 730 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Residential

Initial Zoning: September 3, 1996 (Area 20)

Previous Zoning Action(s): None

Surrounding Zoning: Primarily A1

Surrounding Land Use: Single family residential and vacant land

Stedman Land Use Plan: Farmland

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: Stedman

Within Area Considered for Annexation: No

Proposed Interchange or Activity Node: No

Urban Services Area: No

Water/Sewer Availability: Well / Septic Tank

School Capacity/Enrolled: Stedman Primary 250/133, Stedman Elementary 393/260, Mac Williams Middle 1218/1155, Cape Fear High 1415/1569

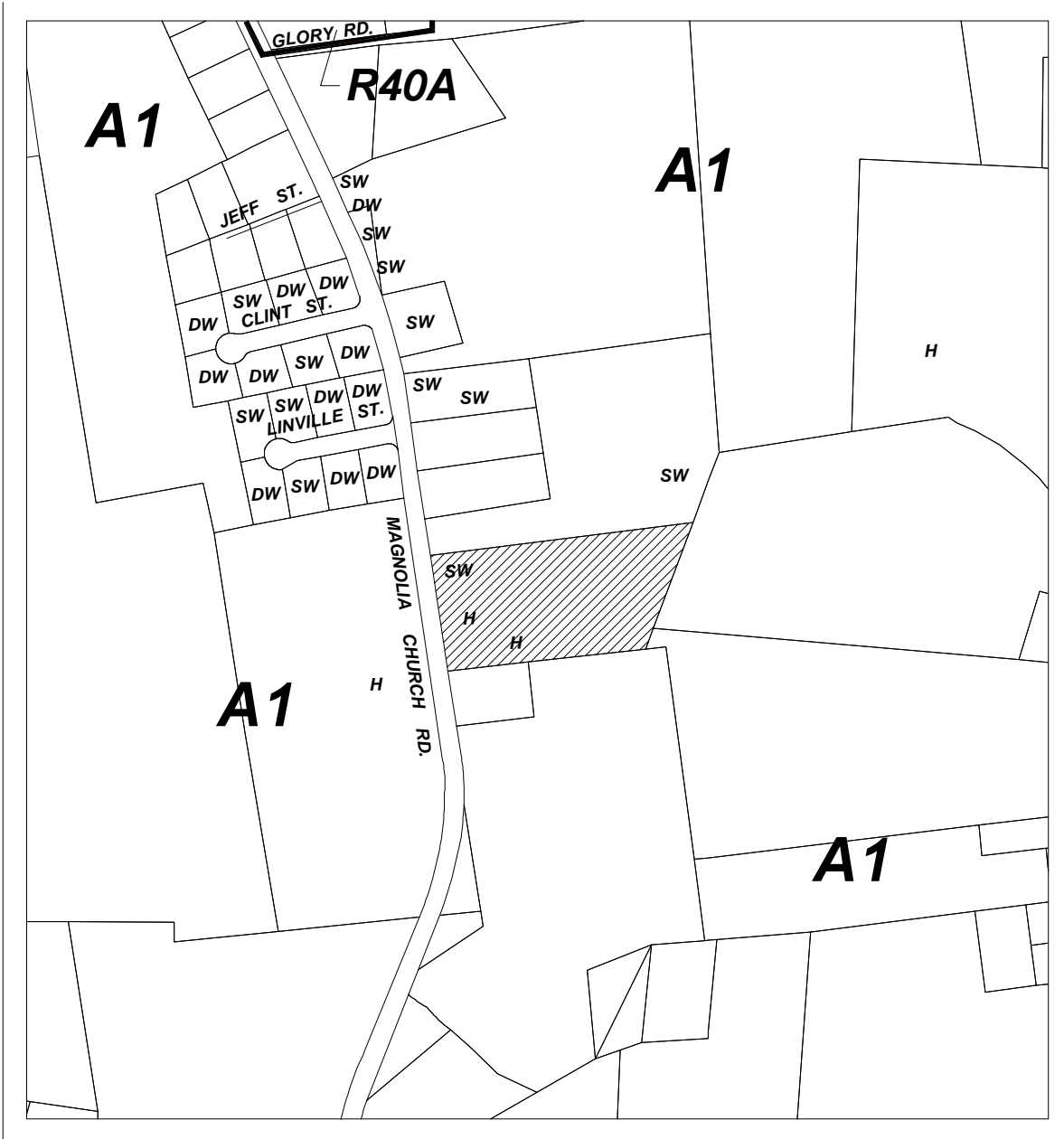
Subdivisions: Case 96-58 for a group development

Thoroughfare Plan: Magnolia Church Road is classified as a rural collector with a current feasible 60-foot right-of-way. Road improvements are not included in the 2004-2010 MTIP.

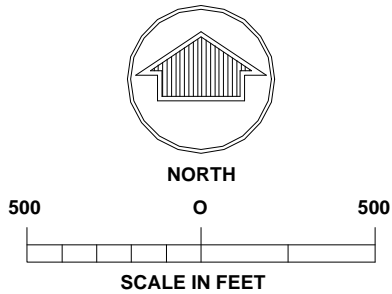
Notes:

.23 acres +/- is within the right-of-way

Density: A1 – 3 units / 2 lots
 R40A – 7 units / 5 lots



**REQUESTED REZONING:
A1 TO R40A**



ACREAGE: 6.02 AC. ±

HEARING NO: P04-61

ORDINANCE: COUNTY

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD

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SUBJECT: RECOMMENDATIONS FOR
SEPTEMBER 21, 2004 MEETING

P04-64: REZONING OF THREE PARCELS TOTALING 64.65 ACRES FROM RR TO R10, OR A MORE RESTRICTIVE ZONING DISTRICT, ON THE SOUTH SIDE OF SNOW HILL ROAD, WEST OF CLAUDE LEE ROAD, SUBMITTED BY CRAWFORD DESIGN COMPANY.

The Planning staff recommends approval of the R10 Residential District based on the following:

1. The 2010 Land Use Plan calls for low-density residential development at this location; and
2. Public water and sewer are available to the site.

The Planning staff finds that the subject property is also suitable for the R15 Residential District.

SITE PROFILE

P04-64

REZONING OF THREE PARCELS TOTALING 64.65 ACRES FROM RR TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE SOUTH SIDE OF SNOW HILL ROAD, WEST OF CLAUDE LEE ROAD, SUBMITTED BY CRAWFORD DESIGN COMPANY.

Site Information:

Applicant/Owner: CRAWFORD DESIGN COMPANY / AMERICAN UNIFORM SALES, INC.

Area: 64.65 acres

Frontage & Location: 715 feet

Depth: 3,500 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Undeveloped

Initial Zoning: March 15, 1979 (Area 6)

Previous Zoning Action(s): None

Surrounding Zoning: North-RR, R15, R6A, C(P), M(P), East-RR, R6A, C(P), C3, HS(P), M(P), South-RR, C(P), C3, M(P) and West-R20, RR, R6A, C(P), M(P)

Surrounding Land Use: Freight line, solid waste dump site

2010 Land Use Plan: Low Density Residential and Open Space

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: None

Within Area Considered for Annexation: No

Proposed Interchange or Activity Node: No

Urban Services Area: Yes

Water/Sewer Availability: PWC / PWC

Schools Capacity/Enrolled: Gallberry Farms Elementary 901/962, South View Middle 743/946, South View High 1715/1808

NCDOT: Turn lanes may be required.

Airport Area Plan: NEF 0-30: minimal to moderate noise exposure, Suburban Density Residential

Thoroughfare Plan: Snow Hill Road is identified as a Major Thoroughfare, with a current 60-foot right-of-way (90 feet proposed with a multi-lane cross section. Road improvements are not included in the 2004-2010 MTIP.

Notes:

Single Family minus 20% for roads

RR – 112 lots

R15 – 150 lots

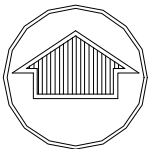
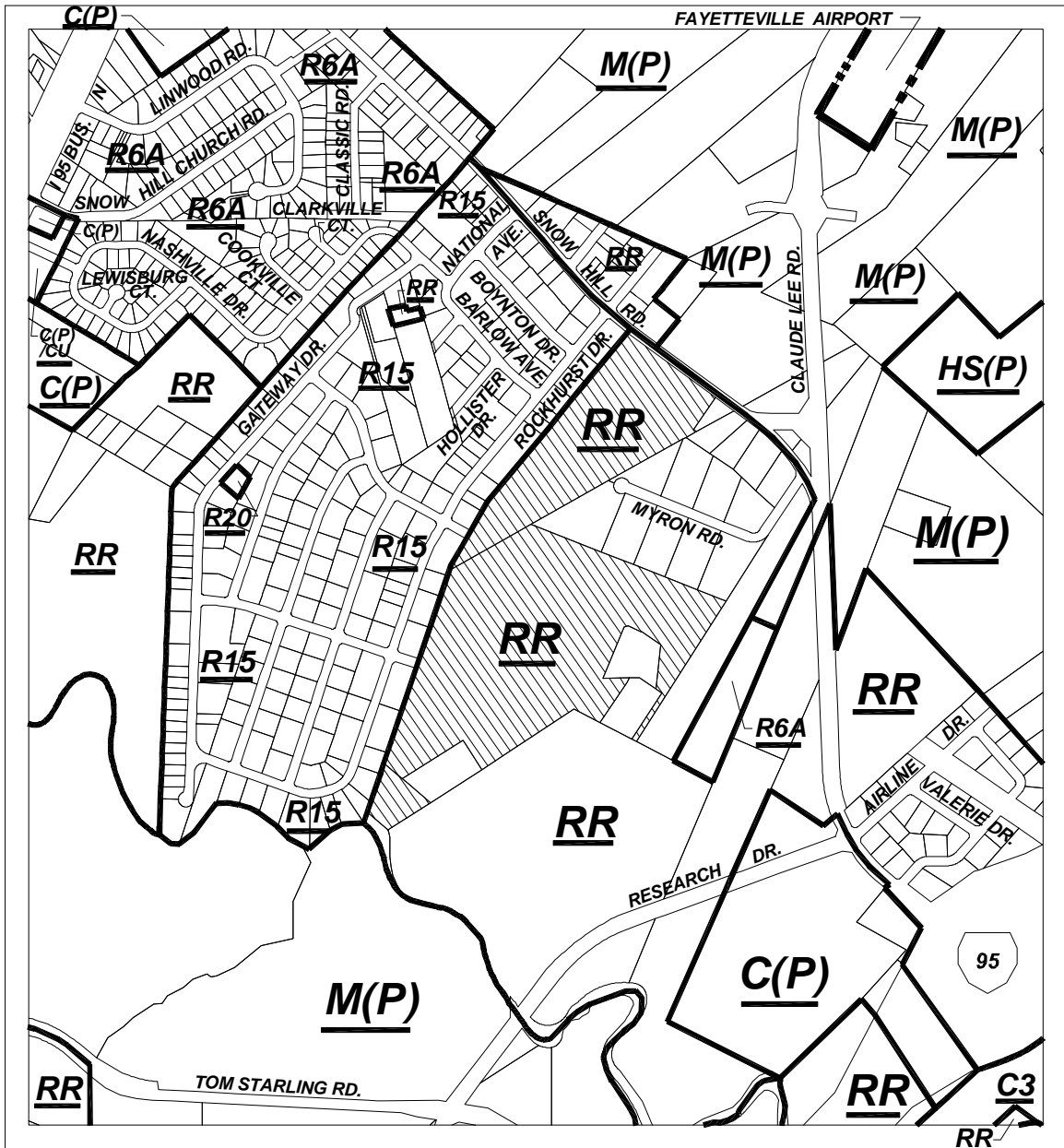
R10 – 225 lots

Group Development

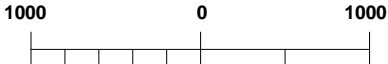
RR – 141 units

R15 – 188 units

R10 – 375 units



NORTH



SCALE IN FEET

REQUESTED REZONING: RR TO R10

ACREAGE: 64.65 AC.±	HEARING NO: P04-64	
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0434-04-5434
 PIN: 0434-03-5205
 PIN: 0424-92-2143

AF

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Wade, Falcon & Godwin
Vacant
Town of Stedman

September 14, 2004

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: RECOMMENDATIONS FOR
SEPTEMBER 21, 2004 MEETING

P04-65: REZONING OF 1.79 ACRES FROM A1 TO R40 AT 1333 CYPRESS LAKES ROAD,
SUBMITTED BY ROBERT M. BENNETT.

The Planning staff recommends approval of the R40 Residential District based on the following:

The Cypress Lakes Area Study calls for low-density residential development at this location.

SITE PROFILE

P04-65

REZONING OF 1.79 ACRES FROM A1 TO R40, AT 1333 CYPRESS LAKES ROAD,
SUBMITTED BY ROBERT M. BENNETT.

Site Information:

Applicant/Owner: ROBERT M. BENNETT / BOBBY L. AND DORA E. MCKOY

Area: 1.79 acres

Frontage & Location: 35 feet on Cypress Lakes Road

Depth: 650 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Residential

Initial Zoning: June 25, 1980 (Area 13)

Previous Zoning Action(s): None

Surrounding Zoning: North-A1, R40, RR, M(P), East-A1, R20/CUO, R10, South-A1, R10 and West-A1, R40, RR, R10

Surrounding Land Use: Single family residential and vacant land

2010 Land Use Plan: Low Density Residential

Study Area: Cypress Lakes Area Study calls for Low Density Residential

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: None

Within Area Considered for Annexation: No

Proposed Interchange or Activity Node: No

Urban Services Area: Yes

Water/Sewer Availability: PWC / PWC

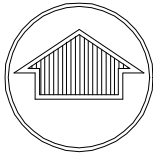
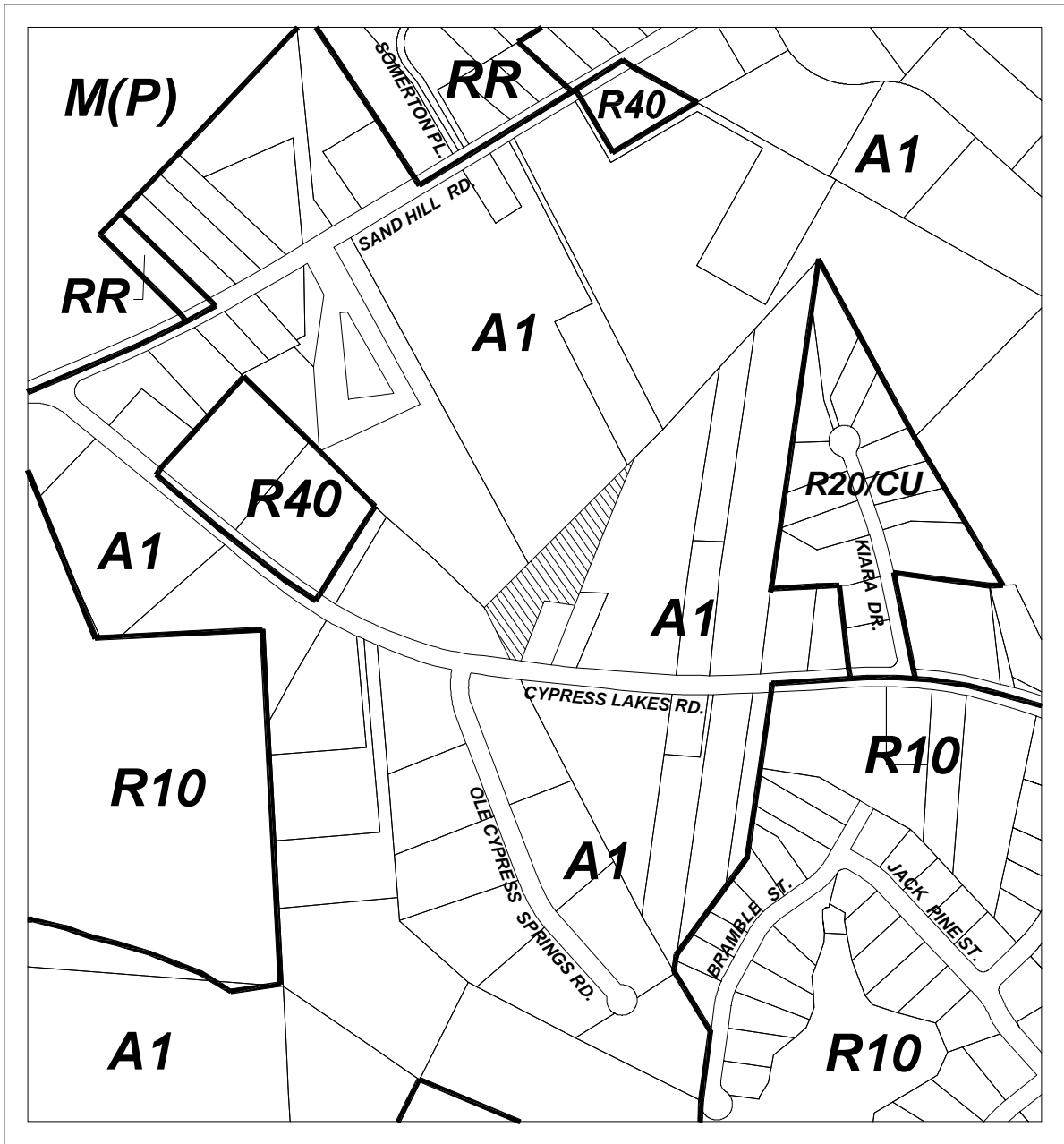
Subdivision: Boundary survey completed 6/29/04 with condition: contingent upon R40 zoning

School Capacity/Enrollment: Gallberry Farms Elementary 901/962, Gray's Creek Middle 450/519, Gray's Creek High 1000/965

Thoroughfare Plan: Cypress Lakes Road is identified as a Minor Thoroughfare. It has a current adequate 60-foot right-of-way. Road improvements are not included in the 2004-2010 MTIP.

Notes:

Density: A1 – 0 units
 R40 – 2 units



NORTH

500 0 500



SCALE IN FEET

REQUESTED REZONING: A1 TO R40

ACREAGE: 1.79 AC.±

HEARING NO: P04-65

ORDINANCE: COUNTY

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD

PIN: 0433-20-5011

AF

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
Town of Linden
David Averette,
Dr. Marion Gillis-Olson
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Cumberland County



COUNTY of CUMBERLAND

Planning and Inspections Department

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Director
Thomas J. Lloyd,
Deputy Director

Joe W. Mullinax,
Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Vacant
Town of Stedman

September 14, 2004

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: RECOMMENDATIONS FOR
SEPTEMBER 21, 2004 MEETING

P04-62: REZONING OF .31 ACRES FROM C(P) TO R6A, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 5000 CUMBERLAND ROAD, OWNED BY HOLLIS L. LUDLUM.

The Planning staff recommends approval of the R6A Residential District based on the following:

The 2010 Land Use Plan calls for medium-density residential development at this location.

SITE PROFILE

P04-62

REZONING OF .31 ACRES FROM C(P) TO R6A OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 5000 CUMBERLAND ROAD, OWNED BY HOLLIS L. LUDLUM.

Site Information:

Applicant/Owner: MANN & COMPANY / HOLLIS L. LUDLUM

Area: .31 acres

Frontage & Location: 94 feet on Cumberland Road

Depth: 184 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Vacant

Initial Zoning: August 1, 1975 (Area 3)

Previous Zoning Action(s): None

Surrounding Zoning: North-R6A, PND, C(P), C1, East-R6A, C(P), C1, Hope Mills city limit, South-CD, R10, R6A, O&I and West-CD, R6A, C(P), M2

Surrounding Land Use: No name manufactured home park, Cumberland Towers, enterprise company, child care center, law firm, paint company, pest control and church

2010 Land Use Plan: Medium Density Residential

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: None

Within Area Considered for Annexation: No

Proposed Interchange or Activity Node: No

Urban Services Area: Yes

Water/Sewer Availability: PWC / PWC

Schools Capacity/Enrollment: Cumberland Mills Elementary 567/560, Ireland Drive Middle 375/378, Douglas Byrd Middle 700/760, Douglas Byrd High 1330/1334

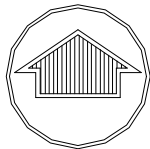
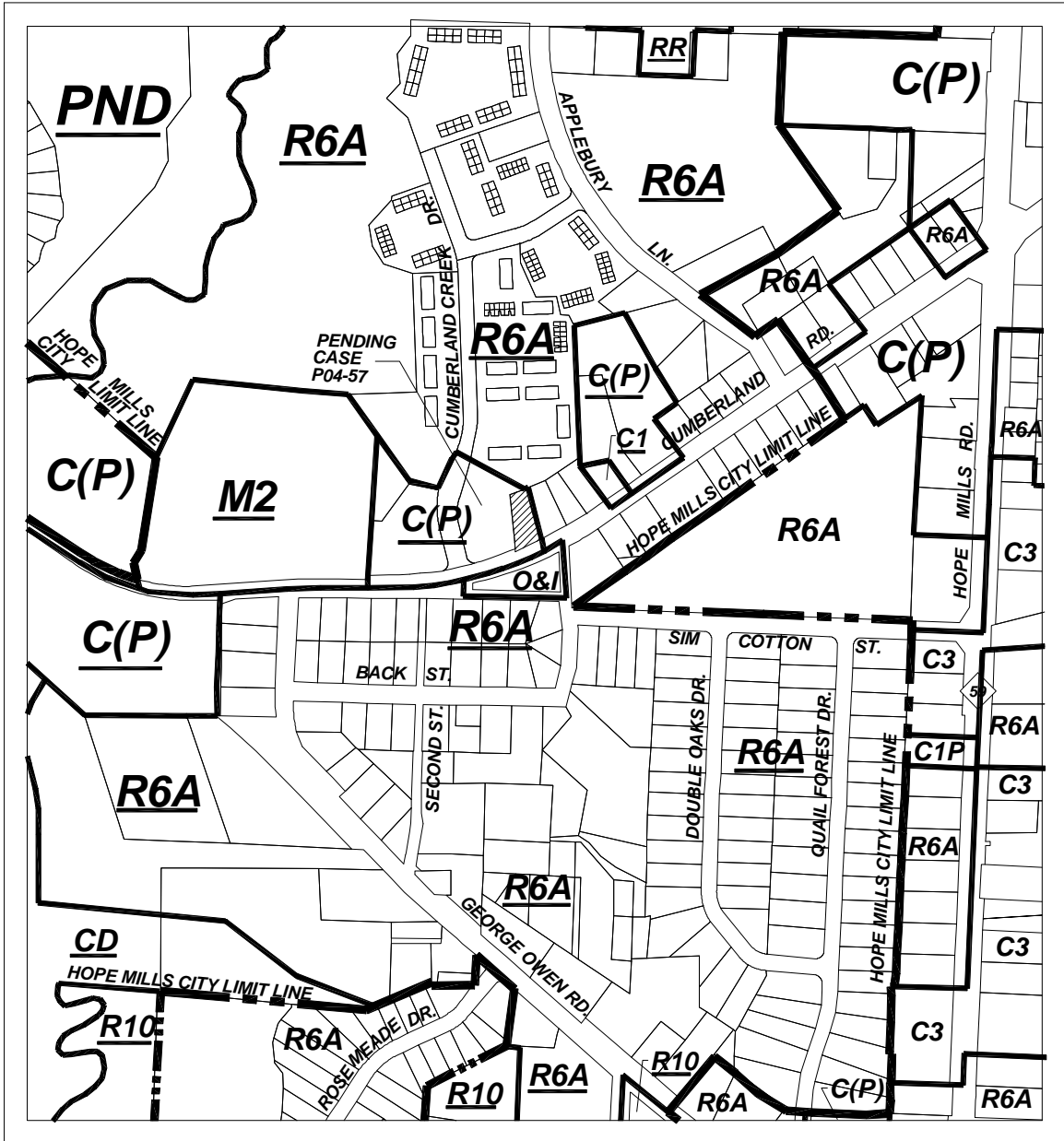
Thoroughfare Plan: Cumberland Road is a Major Thoroughfare with a widening project. Road improvements are included in the 2004-2010 MTIP. Right-of-way acquisition-2004.

Average Daily Traffic Count (2000): 16,000 on Cumberland Road

Notes:

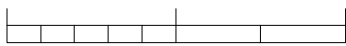
Density: R6A – 2 units / 1 lot

This density calculation is based upon .06 acres taken out for a 28 foot dedicated easement from the road widening.



NORTH

500 0 500



SCALE IN FEET

REQUESTED REZONING: C(P) TO R6A

ACREAGE: 0.31 AC.±

HEARING NO: P04-62

ORDINANCE: COUNTY

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
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David Averette,
Dr. Marion Gillis-Olison
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Cumberland County



COUNTY of CUMBERLAND

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Town of Stedman

September 14, 2004

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: RECOMMENDATIONS FOR
SEPTEMBER 21, 2004 MEETING

P04-36: REZONING OF 2.10 ACRES FROM M(P) TO RR/CU, OR A MORE RESTRICTIVE ZONING DISTRICT, AND A CONDITIONAL USE OVERLAY DISTRICT AND PERMIT TO ENFORCE COMPLIANCE WITH THE ZONING ORDINANCE, AT 1440 KINGSTOWN COURT, SUBMITTED BY TOMMY L. DAVIS.

The Planning staff recommends approval of the Conditional Use Overlay District based on the findings that the request is reasonable, not arbitrary or unduly discriminatory and in the public interest.

The Planning staff recommends approval of the Conditional Use Overlay Permit based on the findings that the proposal:

1. Will not materially endanger the public health and safety;
2. Will not substantially injure the value of adjoining or abutting property;
3. Will be in harmony with the area in which it is to be located; and
4. Will be in conformity with the 2010 Land Use and Thoroughfare Plans.

The Planning staff recommends that the following conditions be added to the Conditional Use Overlay Permit:

1. The applicant provide proof of legal access at the time of permit application;
2. The site be completely cleaned up within 90 days; and
3. The site is to be developed in accordance with the proposal as shown on the site plan.

SITE PROFILE

P04-36

REZONING OF 2.10 ACRES FROM M(P) TO RR/CU AND A CONDITIONAL USE OVERLAY DISTRICT AND PERMIT TO ENFORCE COMPLIANCE WITH THE ZONING ORDINANCE, AT 1440 KINGSTOWN COURT, SUBMITTED BY TOMMY L. DAVIS.

Site Information:

Applicant/Owner: DENVER MCCULLOUGH / TOMMY L. DAVIS

Area: 2.10 acres

Frontage & Location: 208 feet on Kingstown Court

Depth: 431 feet

Jurisdiction: County

Adjacent Property: None

Current Use: Commercial

Initial Zoning: January 7, 1977 (Area 11)

Previous Zoning Action(s): None

Surrounding Zoning: North-CD, RR, R10, East-RR, C3, M(P), South-R10, R10/CUO, R6A and West-CD, R10, R6A.

Surrounding Land Use: Open storage, commercial storage, apartment maintenance, auto center/salvage

2010 Land Use Plan: Heavy Industrial

Spring Lake Land Use Plan: Low Density Residential

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: Spring Lake

Within Area Considered for Annexation: No

Proposed Interchange or Activity Node: No

Urban Services Area: Yes

Water/Sewer Availability: Spring Lake utilities

Schools: Manchester Elementary, Mae Rudd Williams Elementary, Spring Lake Middle, Pine Forest High

Capacity/Enrolled: 442/417, 115/87, 644/657, 1705/1727

Military 1-Mile Buffer: Pope AFB has no objection to this case.

Thoroughfare Plan: No road improvements or new constructions specified for this area.

Notes:

1. This property is located within the Fort Bragg Study.
2. Property was rezoned to R10/CUO to allow a mobile home, case #P94-155
3. Property was rezoned to M(P) to allow open storage of cars, case #P94-175
4. Conditions:
 - a. Must provide proof of legal access
 - b. This will make them clean up the site.
5. Density: RR – 5 units

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, hereby submit application and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for by Section 12.5 of the Zoning Ordinance. In support of this petition, as hereinafter requested, the following facts are submitted:

The property sought for Conditional Use Overlay is located:

Address 1440 Kingstown Court 28390
(Street address or Route and Box #, and Zip Code)

Located on Hwy 87 Nth to Chapel Hill Rd (Spk) then Kingstown Ct
(Name of Street/ Road, or General Directions to Site)

Parcel Identification Number 0512-93-93-38
(obtain from Tax Receipt or from Office of the Tax Administrator 678-7567)

Lot(s) # 1 Frontage 208.5 feet Depth 431 Containing 2.1 acres +/-.

The applicant(s) must furnish a copy of the recorded deed(s) and/or recorded plat map of the area considered for Conditional Use Overlay. If area to be considered for Conditional use Overlay is a portion of a parcel, a written legal description by metes and bounds must accompany the deed and/or plat. (Attach a copy of each, as they apply, to this petition.)

The property sought for Conditional Use is owned by: TOMMIE L. DAVIS
as evidenced by deed from _____
as recorded in Deed Book _____, Page(s) _____, Cumberland County Registry.

It is requested that the foregoing property be rezoned as Conditional Use Overlay District from MP to R.R. Conditional Use.

Proposed use of property requested for Conditional Use: Residential
Note: This information shall not be used in the consideration of the Conditional Use request by the Planning Staff, Planning Board or the County Commissioners but to ensure that the proposed or intended use of the property is not otherwise allowed as a Specified Conditional Use in the zoning district in which it is located. Planning Staff will assist in determining the proper classifications(s), however, the responsibility of the actual request as submitted is that of the applicant.

Existing use of the property (residential, commercial and specify any structures and respective uses): R.R.

Water Provider (Existing or Proposed):

Well PWC _____ Community Water _____ (Name)

Septage Disposal Provided by: Septic Tank PWC _____

Sign Requirements:

A. Reference district sign regulations proposed from Section 9.4.

B. List any variance proposed from those regulations.

) Miscellaneous:

Set forth other information regarding the proposed use(s), such as days and hours of operation, number of employees, exterior lighting, and noise, odor and smoke emission controls, etc., which are considered to determine whether the proposed use of the property will be compatible with surrounding areas and uses allowed therein.

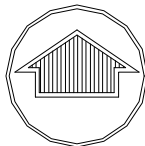
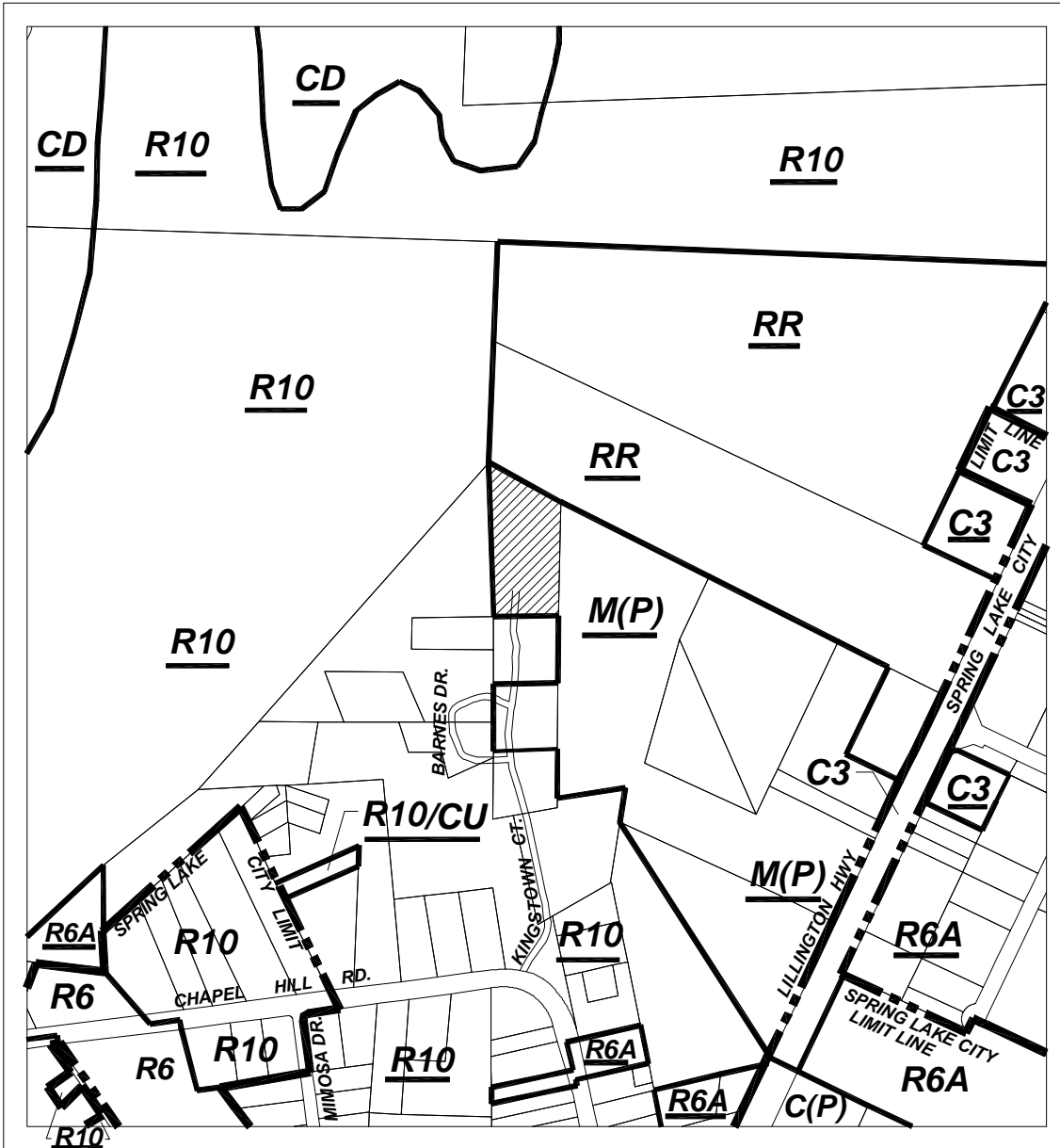
We want to close down the junkyard completely and add on a mobile home. There will be a total of two mobile homes on the land in all.

Site Plan Requirements:

Attach a site plan drawn to scale. If the proposed uses involve development subject to Cumberland County subdivision regulations, the site plan required hereunder may be general in nature, showing a generalized street pattern, if applicable and the location of proposed structures. If the proposed uses involve development not subject to subdivision regulations, the site plan shall include sufficient detail to allow the Planning Department and Planning Board to analyze the proposed use(s) and arrangement of use(s) on the site. Outline all buildings to be placed on the site, the proposed number of stories, the location and number of off-street parking spaces, proposed points of access to existing streets and internal circulation patterns, and the location of all proposed buffers and fences.

Acknowledgement:

It is understood and agreed that upon review by the Planning Board and action by the Board of Commissioners, the uses proposed in the petition may be modified and conditions and limitations placed upon them to insure compatibility of the uses with land use plans, studies or policies and/or existing uses in the surrounding area or community.



NORTH

500 0 500



SCALE IN FEET

REQUESTED REZONING: M(P) TO RR/CU

ACREAGE: 2.10 AC.±

HEARING NO: P04-36

ORDINANCE: COUNTY

HEARING DATE

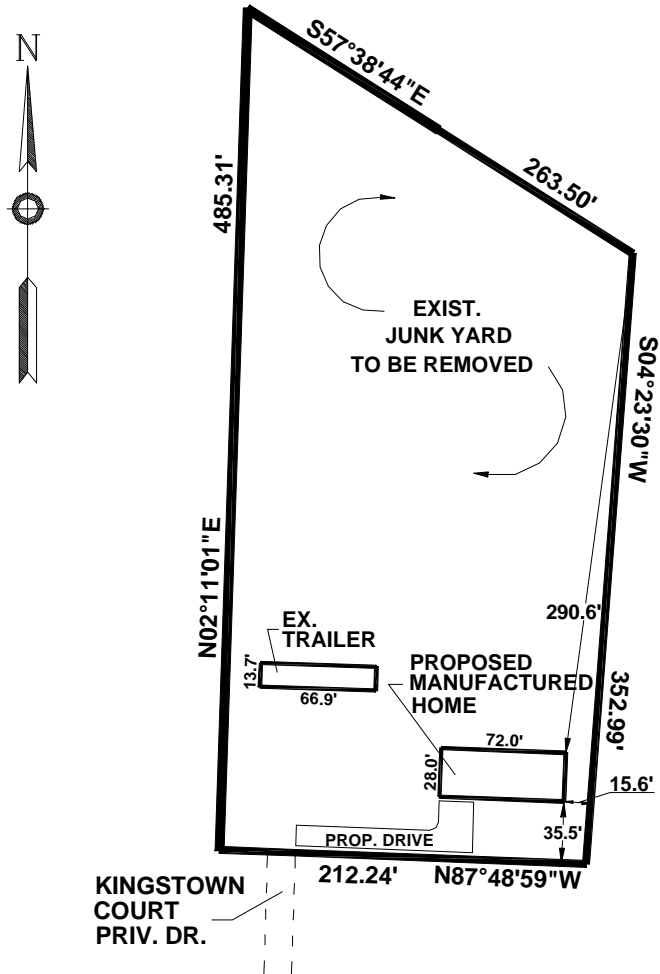
ACTION

PLANNING BOARD

GOVERNING BOARD

PIN: 0502-93-9338

AF



CONDITIONAL USE OVERLAY

REQUEST: TO ALLOW AN ADDITIONAL MANUFACTURED HOME

CASE: P04-36 SCALE: NTS

ACREAGE: 2.1± ZONED: M(P)

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
Town of Linden
David Averette,
Dr. Marion Gillis-Olison
Roy Turner
Cumberland County



COUNTY of CUMBERLAND

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Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Vacant
Town of Stedman

September 14, 2004

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: RECOMMENDATIONS FOR
SEPTEMBER 21, 2004 MEETING

P03-91: MODIFICATION OF CONDITION ON A PERMIT FOR A PREVIOUSLY APPROVED CONDITIONAL USE OVERLAY DISTRICT AND PERMIT TO ALLOW A JUNK YARD AND OPEN STORAGE OF EQUIPMENT IN AN A1 DISTRICT ON 3.21 ACRES ON THE NORTHEAST SIDE OF WHITEHEAD ROAD, NORTH OF NC HIGHWAY 24, OWNED BY ZARKO JOHNSON.

The Planning staff recommends that the Planning Board follow the decision from the Board of County Commissioners when they heard this case.

The following are the conditions approved by the County Commissioners:

1. No more than 20 cars are allowed on the site at one time, and no more than the existing equipment (three dump trucks, one asphalt roller and one paving machine) to be stored on the site;
2. The building must be completed within six months (all permits must be obtained) or the building must be demolished within 30 days of the six-month period;
3. The buffer is to be in accordance with the site plan;
4. No commercial operations other than those allowed in the A1 District and specifically listed in the application shall be allowed;
5. Equipment will enter and exit the property between 7:00 a.m. and 7:00 p.m. daily; and
6. The site plan shows a 10-foot natural buffer on the north, east and west property lines.

SITE PROFILE

P03-91

MODIFICATION OF CONDITION ON A PERMIT FOR A PREVIOUSLY APPROVED CONDITIONAL USE OVERLAY DISTRICT AND PERMIT TO ALLOW A JUNK YARD AND OPEN STORAGE OF EQUIPMENT IN AN A1 DISTRICT, ON 3.21 ACRES, ON THE NORTHEAST SIDE OF WHITEHEAD ROAD, NORTH OF NC HIGHWAY 24, OWNED BY ZARKO JOHNSON.

Site Information:

Applicant/Owner: ZARKO JOHNSON

Area: 3.21 acres

Frontage & Location: 300 feet on Whitehead Road

Depth: 430.65 feet

Jurisdiction: County

Adjacent Property: None

Current Use: Parking of vehicles

Initial Zoning: April 26, 1979 (Area 8)

Previous Zoning Action(s): Violation-Junk yard in an A1 district.

Surrounding Zoning: North-A1, RR, R10, East-A1, R40A, RR, South-RR, R6A, C(P), M(P) and West-RR, M(P)

Surrounding Land Use: Open storage of junk cars, nursery business, equipment company.

2010 Land Use Plan: One-Acre Residential

Eastover Land Use Plan: One-Acre Residential

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: None

Within Area Considered for Annexation: No

Street Designation: None

Proposed Interchange or Activity Node: No

Urban Services Area: Yes

Water/Sewer Availability: PWC available 200 ft. West, using Well / Septic

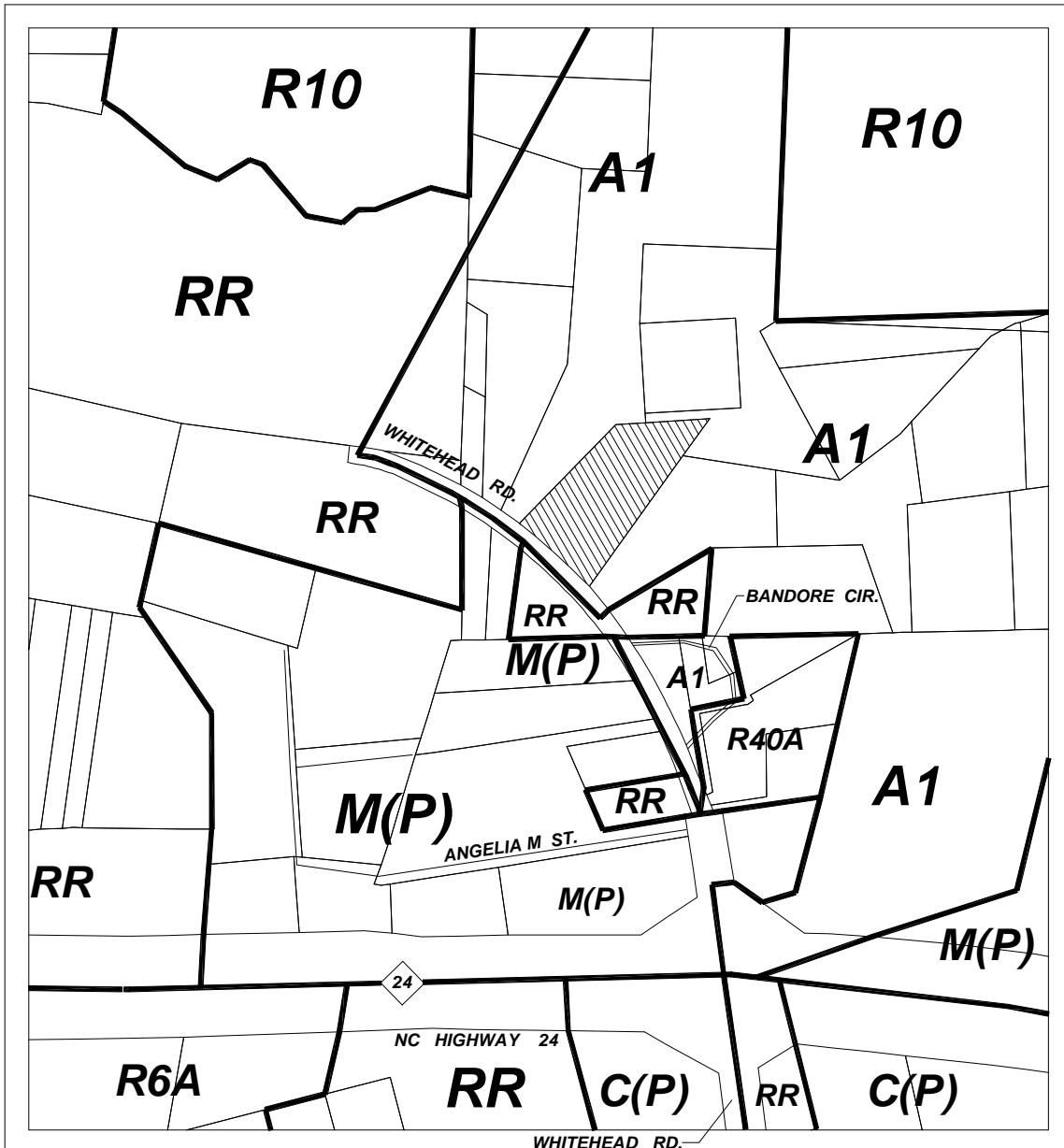
Schools: Armstrong Elementary, Mac Williams Middle, Cape Fear High

Thoroughfare Plan: No road improvements or new constructions specified for this area.

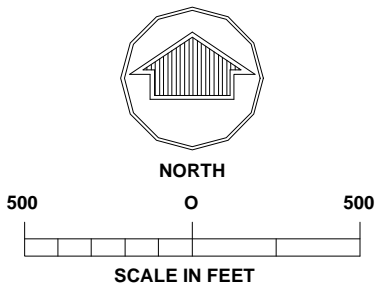
Average Daily Traffic Count (2000): 13,000 on NC Hwy 24

Notes:

Modification: Request for a 6-month extension of the existing partial building.



CONDITIONAL USE OVERLAY DISTRICT REQUEST

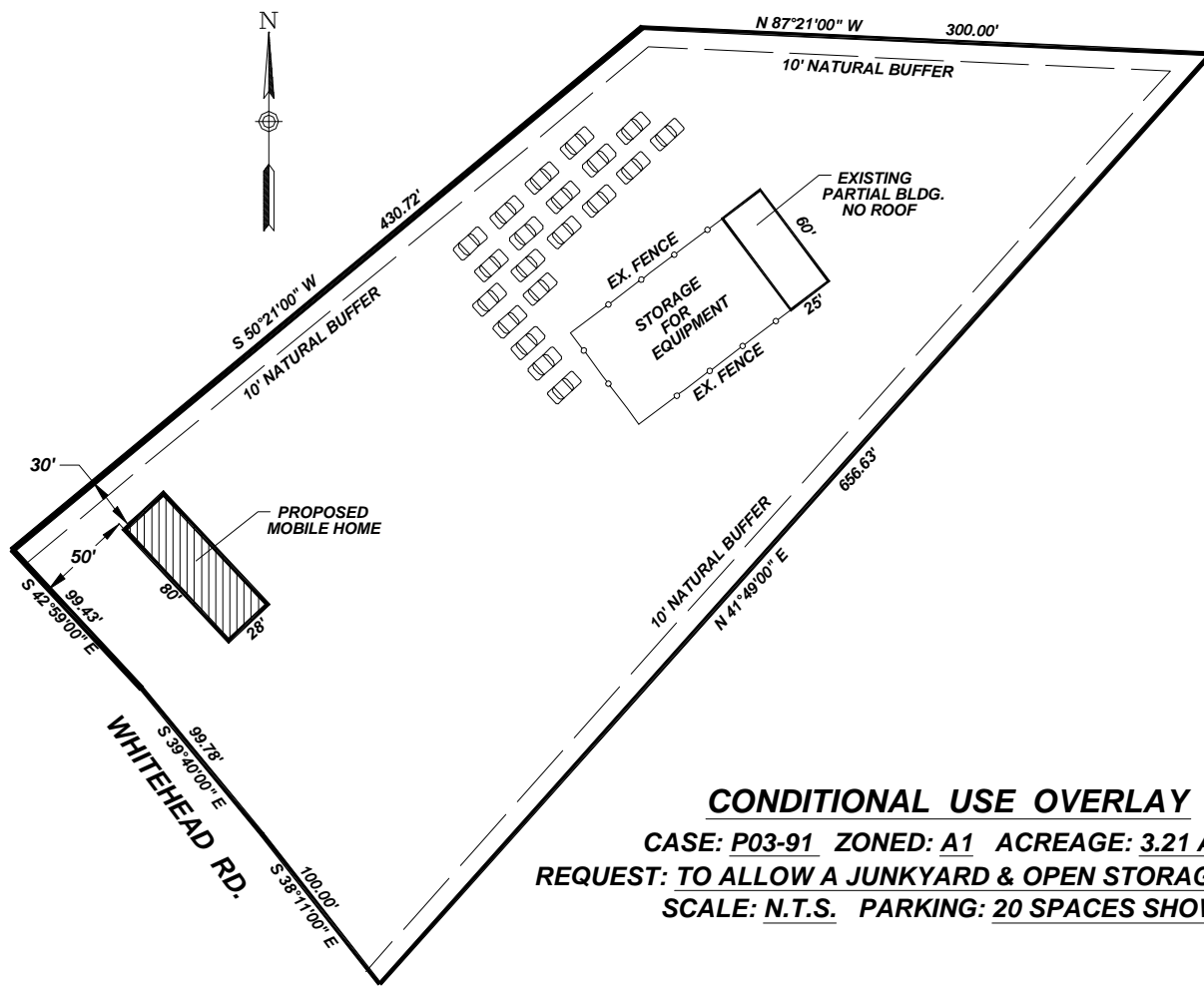


ACREAGE: 3.21 AC. ±	HEARING NO: P03-91	
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0447-94-8012

REVISED: 1/28/04

WD



CONDITIONAL USE OVERLAY

CASE: P03-91 ZONED: A1 ACREAGE: 3.21 AC.±
REQUEST: TO ALLOW A JUNKYARD & OPEN STORAGE OF EQUIP.
SCALE: N.T.S. PARKING: 20 SPACES SHOWN

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
Town of Linden
David Averette,
Dr. Marion Gillis-Olson
Roy Turner
Cumberland County



COUNTY of CUMBERLAND

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Town of Stedman

September 14, 2004

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: RECOMMENDATIONS FOR
SEPTEMBER 21, 2004 MEETING

P04-54: REZONING OF FOUR PARCELS TOTALING 149.01 ACRES FROM A1 TO R10, OR A MORE RESTRICTIVE ZONING DISTRICT, SOUTH OF UNDERWOOD ROAD, EAST OF RIVER ROAD, SUBMITTED BY JOHN KOENIG.

Upon further review and input from the Eastover Sanitary District, the Planning staff recommends denial of the R10 Residential District and approval of the R40 Residential District based on the following:

The Eastover Land Use Plan calls for one-acre lots at this location.

The Planning staff finds that the subject property is also suitable for the A1A and R40A Districts.

SITE PROFILE

P04-54

REZONING OF FOUR PARCELS TOTALLING 149.01 ACRES FROM A1 TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED SOUTH OF UNDERWOOD ROAD, EAST OF RIVER ROAD, SUBMITTED BY JOHN KOENIG.

Site Information:

Applicant/Owner: JOHN KOENIG / GILBERT M. AND JANIE S. SMITH, CATHERINE D. ARMITAGE

Area: 149.01 feet

Frontage & Location: 2,200 feet on Underwood Road, 900 feet on Middle Road

Depth: 3,800 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Wooded and cleared land

Initial Zoning: December 14, 1979 (Area 10)

Previous Zoning Action(s): None

Surrounding Zoning: North and South-A1, RR, East-A1, RR, R40 and West-A1, RR, M(P)

Surrounding Land Use: Soybean company

Eastover Land Use Plan: One Acre Residential and Open Space

Designated 100-Year Floodplain or Floodway: At or above 84 MSL, back water effects along Gum Log Canal.

Municipal Influence Area: None

Within Area Considered for Annexation: No

Proposed Interchange or Activity Node: No

Urban Services Area: Yes

Water/Sewer Availability: PWC / PWC – working with the developer to provide sewer service.

Eastover Sanitary Sewer: Rezoning to R10 or R20 is not accepted (tentative).

School, Capacity/Enrollment: Armstrong Elementary 498/401, Mac Williams Middle 1218/1167, Cape Fear High 1415/1511

Subdivisions: Recombination will be required.

Thoroughfare Plan: Middle Road is identified as a Major Thoroughfare with a current adequate 90-foot right-of-way. No road improvements are included in the 04-10 MTIP.

Average Daily Traffic Count (2000): 2,000 on Middle Road

Notes:

Single Family w/20% for roads

A1 – 59 lots

R40 – 129 lots

R30 – 173 lots

RR – 259 lots

R15 – 346 lots

R10 – 519 lots

Group Development

A1 – 75 units

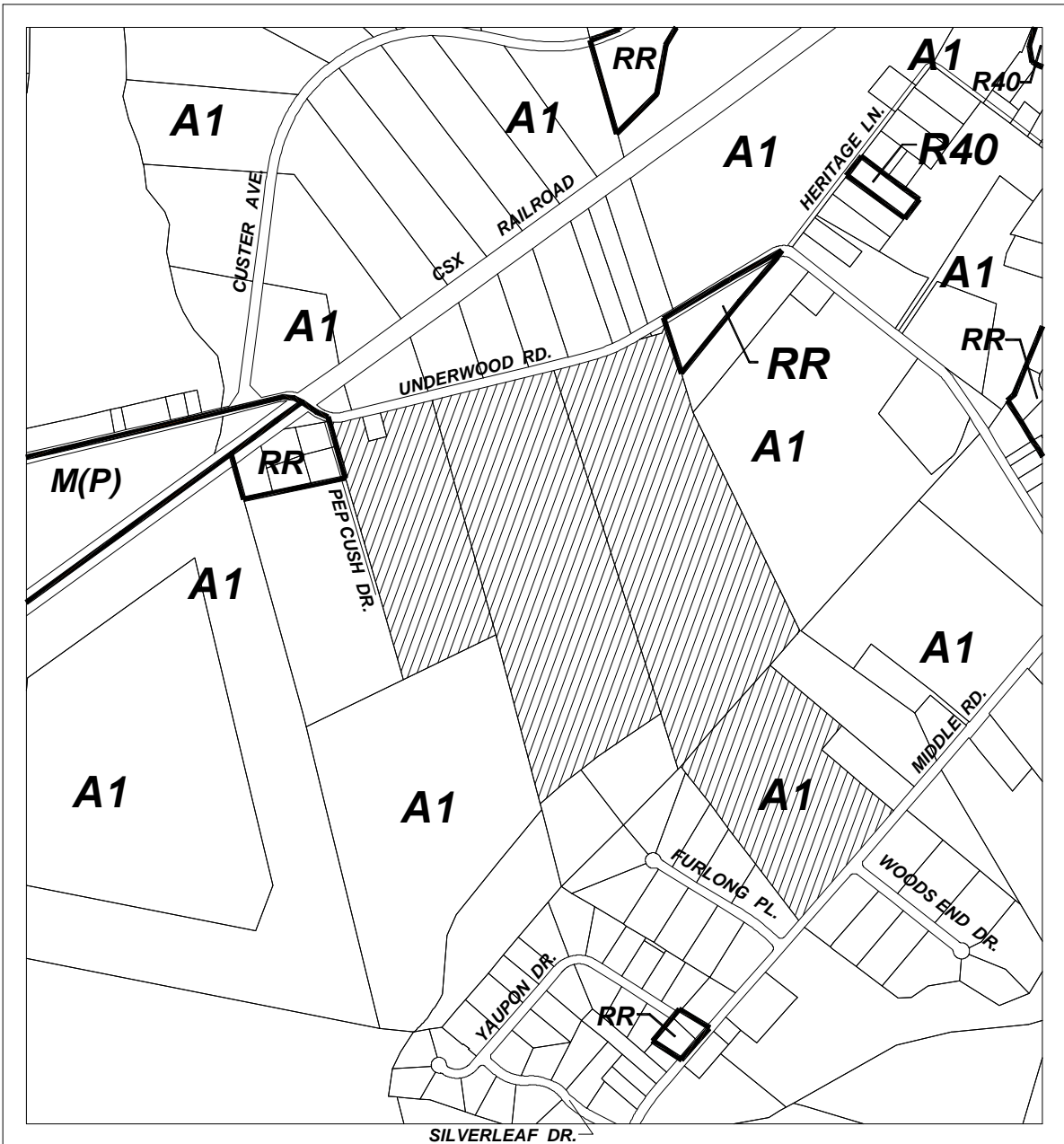
R40 – 162 units

R30 – 216 units

RR – 325 units

R15 – 433 units

R10 – 865 units



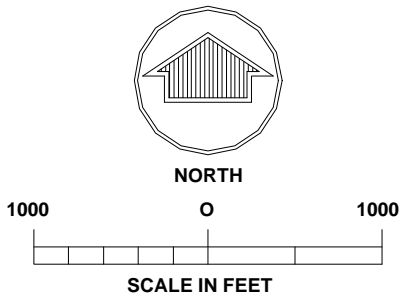
**REQUESTED REZONING:
A1 TO R10**

ACREAGE: 149.01 AC. ± HEARING NO: P04-54

ORDINANCE: COUNTY HEARING DATE ACTION

PLANNING BOARD

GOVERNING BOARD



PINs: 0448-86-1513,-9258,-96-7572, 0458-04-4981

WD

Clifton McNeill, Jr.
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Town of Stedman

September 14, 2004

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: RECOMMENDATIONS FOR
SEPTEMBER 21, 2004 MEETING

P04-58: REZONING OF FOUR PARCELS TOTALING 1.30 ACRES FROM R6A TO C(P), OR A MORE RESTRICTIVE ZONING DISTRICT, ON THE WEST SIDE OF DEEVER CIRCLE, SOUTH OF ROCKFISH ROAD, SUBMITTED BY ROBERT M. BENNETT.

The Planning staff recommends denial of the C(P) Planned Commercial District based on the following:

1. The 2010 Land Use Plan calls for medium-density residential development at this location; and
2. There is sufficient undeveloped commercial property in the area.

The Planning staff finds that the subject property is also suitable for the R6 District.

SITE PROFILE

P04-58

REZONING OF FOUR PARCELS TOTALING 1.30 ACRES FROM R6A TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE WEST SIDE OF DEAVER CIRCLE, SOUTH OF ROCKFISH ROAD, SUBMITTED BY ROBERT M. BENNETT.

Site Information:

Applicant/Owner: ROBERT M. BENNETT / DELPHINE SALONE AND ESTHER P. CARR

Area: 1.30 acres

Frontage & Location: 450 feet on Deavers Circle

Depth: 129 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Vacant

Initial Zoning: February 3, 1977 (Area 7)

Previous Zoning Action(s): None

Surrounding Zoning: North-RR, R10, C(P), Hope Mills city limit, East and South-R6A, city limit and West-RR, R10 and city limit

Surrounding Land Use: Church, gas station (2), manufactured home park, school, apartments

2010 Land Use Plan: Medium Density Residential

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: None

Within Area Considered for Annexation: No

Proposed Interchange or Activity Node: No

Urban Services Area: Yes

Water/Sewer Availability: PWC / PWC

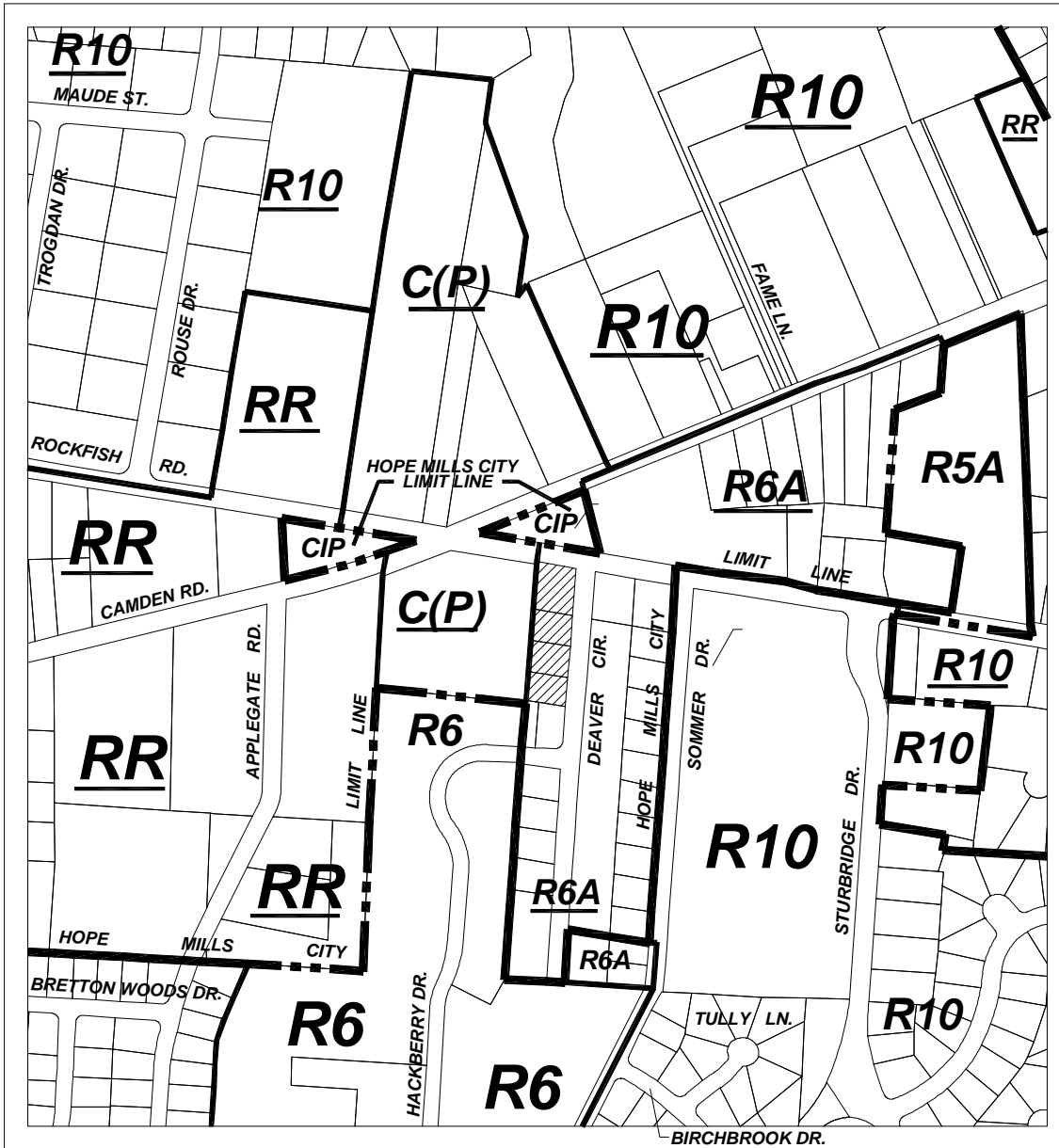
School Capacity/Enrolled: Collier Elementary 577/618, Hope Mills Middle 624/690, South View High 1715/1808

Thoroughfare Plan: Rockfish Road is identified as a Major Thoroughfare, with a current 60-foot right-of-way (90 foot proposed with a multi-lane cross section). Road improvements are not included in the 2004-2010 MTIP.

NCDOT: No access to Rockfish Road will be allowed.

Average Daily Traffic Count (2000): 9,400 on Rockfish Road

Notes:



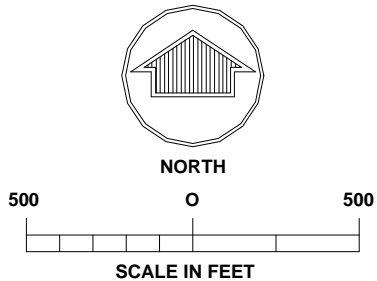
**REQUESTED REZONING:
R6A TO C(P)**

ACREAGE: 1.30 AC. ± HEARING NO: P04-58

ORDINANCE: COUNTY HEARING DATE ACTION

PLANNING BOARD

GOVERNING BOARD



PINS:0404-46-5511, 5308, 4298, 4189

WD

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
Town of Linden
David Averette,
Dr. Marion Gillis-Olison
Roy Turner
Cumberland County



COUNTY of CUMBERLAND

Planning and Inspections Department

Nancy Roy, AICP
Director
Thomas J. Lloyd,
Deputy Director

Joe W. Mullinax,
Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Vacant
Town of Stedman

September 14, 2004

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: RECOMMENDATIONS FOR
SEPTEMBER 21, 2004 MEETING

P04-59: REZONING OF .39 ACRES FROM C3 TO R6, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 1310 MACK STREET, SUBMITTED BY SAMUEL C. SMITH. (SPRING LAKE)

The Planning staff recommends denial of the R6 Residential District and approval of the R10 Residential District based on the following:

The Spring Lake Land Use Plan calls for low-density residential development at this location.

SITE PROFILE

P04-59

REZONING OF .39 ACRES FROM C3 TO R6 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 1310 MACK STREET, SUBMITTED BY SAMUEL C. SMITH. (SPRING LAKE)

Site Information:

Applicant/Owner: SAMUEL C. AND DEBRA A. SMITH

Area: .39 acres

Frontage & Location: 90 feet on Mack Street

Depth: 190 feet

Jurisdiction: Spring Lake

Adjacent Property: No

Current Use: Residential

Previous Zoning Action(s): None

Surrounding Zoning: North-R10, R6A, C1, C(P), C3, East-R6, R6A, R5A, C3, South-R10, R5A, C(P), C3 and West-RR, R10, R5A, C(P)

Surrounding Land Use: Auto shop, water and meter resource department, child care center (2), vacant commercial, drycleaning business, commercial building, plaza, bank, church

Spring Lake Land Use Plan: Low Density Residential

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: Spring Lake

Proposed Interchange or Activity Node: No

Urban Services Area: Yes

Water/Sewer Availability: Spring Lake Utilities

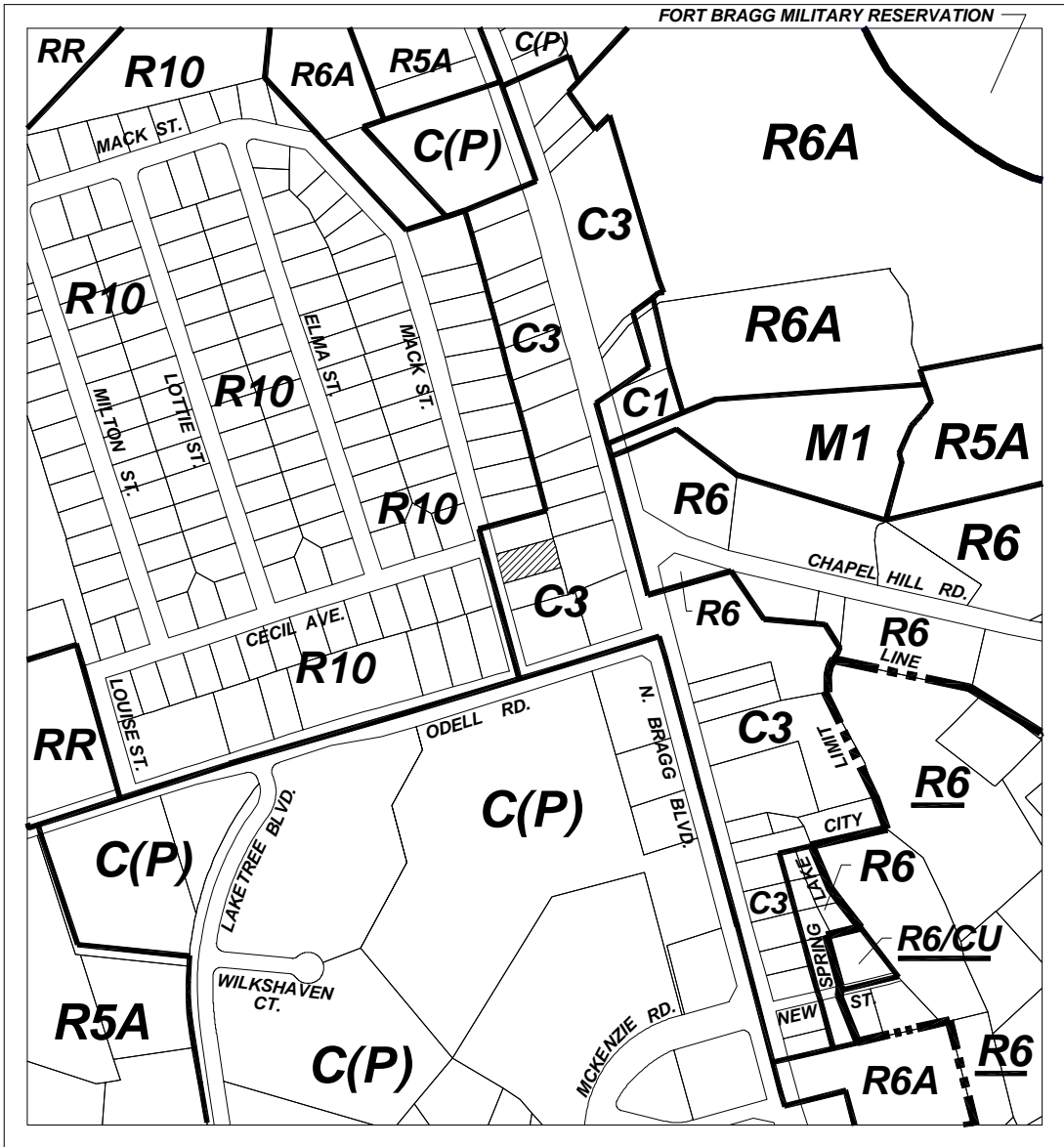
NAPZ (Ft. Bragg/Pope AFB): Pope AFB has no objection to this case.

School Capacity/Enrolled: Mae Rudd Williams Elementary 115/82, Manchester Elementary 442/401, Spring Lake Middle 644/609, Pine Forest High 1705/1689

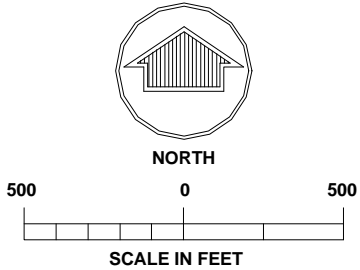
Thoroughfare Plan: No road improvements or new constructions specified for this area.

Notes:

Density: R10 – 2 units
 R6 – 3 units



FORT BRAGG MILITARY RESERVATION



**REQUESTED REZONING:
C3 TO R6**

ACREAGE: 0.39 AC.±	HEARING NO: P04-59	
ORDINANCE: SPRING LAKE	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0502-41-8931

AF

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Town of Stedman

September 14, 2004

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: RECOMMENDATIONS FOR
SEPTEMBER 21, 2004 MEETING

P04-63: REZONING OF A .77-ACRE PARCEL AND A .70-ACRE PORTION OF A 280-ACRE TRACT FROM A1 TO R40, TOTALING 1.47 ACRES, ON THE NORTH SIDE OF CARL FREEMAN ROAD, NORTHEAST OF NC HIGHWAY 210 SOUTH, OWNED BY JOHN HORNE.

The Planning staff recommends denial of the R40 Residential District based on the following:

1. The 2010 Land Use Plan calls for farmland at this location; and
2. There is no other R40 District zoning in the area.

SITE PROFILE

P04-63

REZONING OF A .77 ACRE PARCEL AND A .70-ACRE PORTION OF A 280 ACRE TRACT FROM A1 TO R40, TOTALING 1.47 ACRES, LOCATED ON THE NORTH SIDE OF CARL FREEMAN ROAD, NORTHEAST OF NC HIGHWAY 210 SOUTH, OWNED BY JOHN HORNE.

Site Information:

Applicant/Owner: JOHN HORNE

Area: 1.47 acres

Frontage & Location: 141.06 feet on Carl Freeman Road

Depth: 214 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Residential

Initial Zoning: September 3, 1996 (Area 20)

Previous Zoning Action(s): None

Surrounding Zoning: Primarily A1

Surrounding Land Use: Vacant and

2010 Land Use Plan: Farmland

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: None

Within Area Considered for Annexation: No

Proposed Interchange or Activity Node: No

Urban Services Area: No

Water/Sewer Availability: Well / Septic Tank

School Capacity/Enrollment: Stedman Primary 250/123, Stedman Elementary 393/260, Mac Williams Middle 1218/1155, Cape Fear High 1415/1569

Thoroughfare Plan: Carl Freeman Road is identified as a Major Thoroughfare with a current 60-foot right-of-way (four-lane widening project with a divide, proposed). No road improvements are included in the 04-10 MTIP.

Notes:

Density: A1 – 1 unit
 R40 – 2 units

SITE PROFILE

P04-63

REZONING OF A .77 ACRE PARCEL AND A .70-ACRE PORTION OF A 280 ACRE TRACT FROM A1 TO R40, TOTALING 1.47 ACRES, LOCATED ON THE NORTH SIDE OF CARL FREEMAN ROAD, NORTHEAST OF NC HIGHWAY 210 SOUTH, OWNED BY JOHN HORNE.

Site Information:

Applicant/Owner: JOHN HORNE

Area: 1.47 acres

Frontage & Location: 141.06 feet on Carl Freeman Road

Depth: 214 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Residential

Initial Zoning: September 3, 1996 (Area 20)

Previous Zoning Action(s): None

Surrounding Zoning: Primarily A1

Surrounding Land Use: Vacant and

2010 Land Use Plan: Farmland

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: None

Within Area Considered for Annexation: No

Proposed Interchange or Activity Node: No

Urban Services Area: No

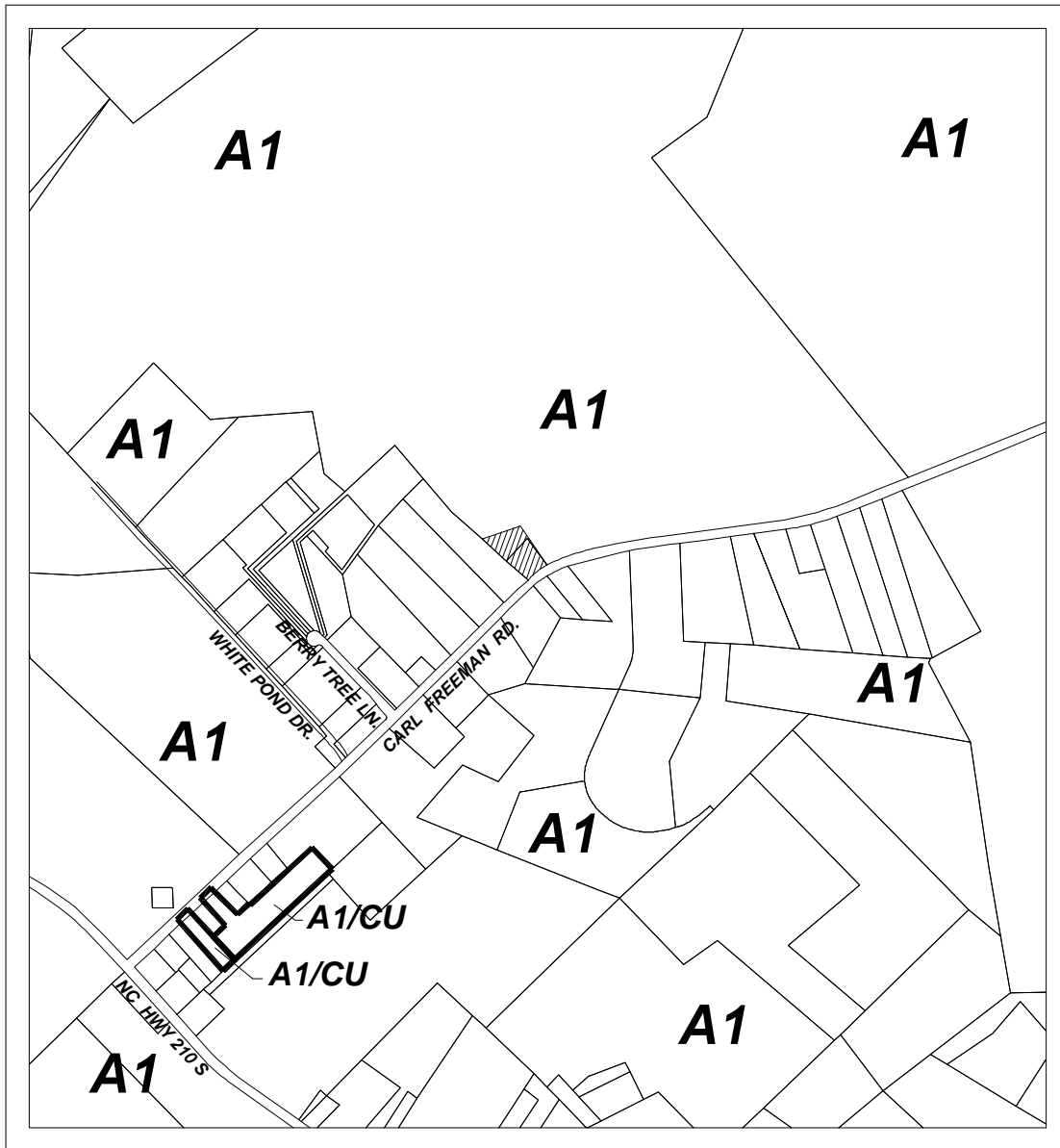
Water/Sewer Availability: Well / Septic Tank

School Capacity/Enrollment: Stedman Primary 250/123, Stedman Elementary 393/260, Mac Williams Middle 1218/1155, Cape Fear High 1415/1569

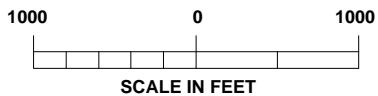
Thoroughfare Plan: Carl Freeman Road is identified as a Major Thoroughfare with a current 60-foot right-of-way (four-lane widening project with a divide, proposed). No road improvements are included in the 04-10 MTIP.

Notes:

Density: A1 – 1 unit
 R40 – 2 units



NORTH



REQUESTED REZONING: A1 TO R40

ACREAGE: 1.47 AC.±	HEARING NO: P04-63	
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0485-02-2089
PORT. OF PIN: 0475-94-8119

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