

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

### *Joint Planning Board*

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

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

#### TENTATIVE AGENDA December 21, 2004

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRALS
  - A. P04-19: REVISION OF A CONDITIONAL USE OVERLAY PERMIT TO ALLOW A QUILTING BUSINESS, INSTRUCTION AND SEWING MACHINE SALES AND SERVICE ON 1.0 ACRE IN A PND/CU DISTRICT ON THE EAST SIDE OF RAMSEY STREET, NORTH OF BETHUNE DRIVE, OWNED BY JOHN R. AND CAROL S. WATKINS.
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. CONSENT ITEMS
  - A. APPROVAL OF THE MINUTES OF DECEMBER 7, 2004

#### REZONING CASES

- A. P04-72: REZONING OF .39 ACRES FROM C3 TO R10, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 1402 MACK STREET, SUBMITTED BY THE TOWN OF SPRING LAKE, OWNED BY JOYCE F. CHASTAIN.
- B. P04-79: INITIAL ZONING OF 4.58 ACRES TO R5, OR A MORE RESTRICTIVE ZONING DISTRICT, ON MCNEIL STREET, SOUTH OF CHAPEL HILL ROAD, SUBMITTED BY THE TOWN OF SPRING LAKE, OWNED BY FRANK K. AND JACQUELINE W. HARNEY.
- C. P04-80: REZONING OF 1.85 ACRES FROM R5A TO O&I, OR A MORE RESTRICTIVE ZONING DISTRICT, ON THE EAST SIDE OF RAMSEY STREET, SOUTH OF CARVERS FALLS ROAD, SUBMITTED BY CRAWFORD B. MACKETHAN, OWNED BY JAMES I. JONES, JR.
- D. P04-81: REZONING OF .28 ACRES FROM O&I TO C1 OR A MORE RESTRICTIVE ZONING DISTRICT, AT 5011 CUMBERLAND ROAD, OWNED BY JULIAN T. MANN, JR.
- E. P04-82: REZONING OF FIVE PARCELS TOTALLING 50.5 ACRES FROM RR AND CD TO R10, OR A MORE RESTRICTIVE ZONING DISTRICT, ON THE NORTH AND WEST SIDES OF PINE CONE LANE AND CAMDEN ROAD, SUBMITTED BY K. DOUGLAS BARFIELD, OWNED BY PEARTREE VENTURES, LLC, ET AL.
- F. P04-83: REZONING OF A .51 ACRE PORTION OF A 1.03 ACRE TRACT FROM R40 TO RR, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 2828 BLOSSOM ROAD, SUBMITTED BY JOHN D. PONE, OWNED BY MARY D. PONE.
- G. P04-84: REZONING OF TWO PARCELS TOTALLING 6.42 ACRES FROM A1 TO R40A OR A MORE RESTRICTIVE ZONING DISTRICT AT 4463 AND 4475 SANDEROSA ROAD, OWNED BY PHILLIP T. DAVIS.

CONDITIONAL USE OVERLAY DISTRICT AND PERMIT

- A. P04-85: REZONING OF 42.81 ACRES FROM A1 TO R10/CU FOR A CONDITIONAL USE OVERLAY DISTRICT AND PERMIT TO ALLOW SINGLE-FAMILY RESIDENTIAL SOUTH OF SAND HILL ROAD, NORTHEAST OF CELEBRATION DRIVE, SUBMITTED BY MOORMAN, KIZER AND REITZEL, INC., OWNED BY PREWITT LAND COMPANY, LLC.

VII. DISCUSSION

- A. REPORT ON COUNTY COMMISSIONERS' MEETING – CHAIR McNEILL

VIII. FOR YOUR INFORMATION

- A. DIRECTOR'S UPDATE

IX. ADJOURNMENT

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### MINUTES December 7, 2004

#### Members Present

Mr. Clifton McNeill, Chair  
Mr. Charles Morris, Vice-Chair  
Mr. David Averette  
Mr. Harvey Cain, Jr.  
Mr. Donovan McLaurin  
Mr. Roy Turner

#### Members Absent

Dr. Marion Gillis-Olion  
Mr. Joe Mullinax

#### Others Present

Ms. Nancy Roy, Director  
Mr. Tom Lloyd, Dep. Dir.  
Mr. Lee Eanes  
Mr. Rick Heicksen  
Ms. Donna McFayden  
Mr. Mike Osbourn  
Mr. Matt Rooney  
Ms. Barbara Swilley

#### I. INVOCATION AND PLEDGE OF ALLEGIANCE

Chair McNeill delivered the invocation and led those present in the Pledge of Allegiance.

#### II. APPROVAL OF/ADJUSTMENTS TO AGENDA

Mr. Lloyd said that Case P04-70 and the Planning Board Schedules could be moved to the Consent Items. A motion was made by Mr. Averette and seconded by Vice-Chair Morris to approve the Agenda with the above changes. The motion passed unanimously.

#### III. ABSTENTIONS BY BOARD MEMBERS

There were no abstentions by Board members.

#### IV. CONSENT ITEMS

##### A. APPROVAL OF THE MINUTES OF NOVEMBER 16, 2004

Mr. Averette pointed out in the Minutes a paragraph where his name appeared instead of Vice-Chair Morris' name. A motion was made by Mr. Averette and seconded by Mr. McLaurin to approve the Minutes of November 16, 2004 with the correction. The motion passed unanimously.

##### B. P04-70: REZONING OF 1.19-ACRES FROM RR/CU AND HS(P)/CU TO RR/CU AND A CONDITIONAL USE OVERLAY DISTRICT AND PERMIT TO ALLOW A CHILDREN'S DAY CARE FACILITY AT 3353 DUNN ROAD, OWNED BY SUNDUST, LLC.

The Planning staff recommended approval of the RR/CU Rural Residential/ Conditional Use Overlay District and Permit based on the following:

1. The use allowed under the Conditional Use Overlay District and Permit is consistent with the land use in the area;
2. The Eastover Land Use Plan calls for commercial uses at this location; and
3. The rezoning will place the entire lot within the same zoning classification.

Packet materials were introduced into the record.

No one appeared in favor of or in opposition to the request.

**A motion was made by Mr. McLaurin and seconded by Vice-Chair Morris to follow the staff recommendation and approve 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 motion passed unanimously.**

**A motion was made by Mr. McLaurin and seconded by Vice-Chair Morris to follow the staff recommendation and approve the Conditional Use Overlay Permit according to the application after finding that when completed, 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 land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners. The motion passed unanimously.**

C. REZONING AND PLAT AND PLAN APPLICATION DEADLINES AND PLANNING BOARD MEETING SCHEDULES FOR 2005

A motion was made by Vice-Chair Morris and seconded by Mr. Averette to approve the Plat and Plan Applications Deadlines and Planning Board Meeting Schedules for 2005. The motion passed unanimously.

V. DISCUSSION

A. GIS PRESENTATION

Ms. Roy introduced the GIS Team of Mr. Matt Rooney, GIS Manager, and Messrs. Lee Eanes and Mike Osbourn, GIS Coordinators. The GIS Analyst, Ms. Autrice Taylor was not at the meeting. She said that the two members of the team were added to the Planning and Inspections Department a few months ago, and their first goal was to set up a website. She said that Mr. Eanes would explain the website, and Mr. Osbourn would then demonstrate a web tool he has created to assist property owners in determining whether land is within an area proposed for highway improvements.

Mr. Eanes introduced the community website and said it was created as a joint effort of the County, City and PWC that he has been working on since February. The address for the website is 152.31.99.8. He said that the site has been live for two months and already received nearly 7,500 hits. Mr. Eanes demonstrated a few of the applications that can be used on the site and said that it was created as a basic tool to serve the public and free up staff.

Mr. Osbourn presented a website that was created to assist citizens concerned about where transportation projects may be planned and how they affect their properties. He said that access is limited on the site, and there are many applications that users can select that are not available to the public. In addition to transportation projects, the site can be used to determine whether a property is within a watershed area, group homes are nearby, the 2010 Land Use Plan recommendations, assessed values, acreage and many more. In addition, Mr. Osbourn demonstrated an application that maps the calls received by the Emergency 911 Dispatch Office. He said that there are many planning applications, and the site is helpful in creating the data to form the information that the Planning Board uses to determine rezoning cases.

VI. FOR YOUR INFORMATION

A. DIRECTOR'S UPDATE

Ms. Roy said that Moderator Averette has scheduled a Land Use Codes Committee meeting prior to the next Planning Board meeting at 5:30 p.m. on December 21, 2004.

B. 2030 LAND USE PLAN

Mr. Averette said that at the last City Council meeting, the members voted not to fund a consultant to aid in the development of the 2030 Land Use Plan until they have jurisdiction over the Urban Services Area. The members discussed using a consultant to assist with making the public aware of and receiving input on the Plan. Ms. Roy said that she was meeting with Mr. Jimmy Teal, Planning Director for the City, on Wednesday and would ask him about the details.

VII. ADJOURNMENT

There being no further business, the meeting adjourned at 8:25 p.m.

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December 16, 2004

MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATION FOR  
DECEMBER 21, 2004 MEETING

P04-19: REVISION OF A CONDITIONAL USE OVERLAY PERMIT TO ALLOW A QUILTING BUSINESS, INSTRUCTION AND SEWING MACHINE SALES AND SERVICE ON 1.0 ACRE IN A PND/CU DISTRICT ON THE EAST SIDE OF RAMSEY STREET, NORTH OF BETHUNE DRIVE, OWNED BY JOHN R. AND CAROL S. WATKINS.

The Planning staff recommends deferral of this request for 30 days to further consider topography and sign regulations.

## SITE PROFILE

### P04-19

REVISION OF A CONDITIONAL USE OVERLAY PERMIT TO ALLOW A QUILTING BUSINESS, INSTRUCTION AND SEWING MACHINE SALES & SERVICE ON 1.0 ACRE, IN A PND/CU DISTRICT, ON THE EAST SIDE OF RAMSEY STREET, NORTH OF BETHUNE DRIVE, OWNED BY JOHN R. AND CAROL S. WATKINS.

#### **Site Information:**

**Applicant/Owner:** JOHN R. AND CAROL S. WATKINS

**Area:** 1.0 acres

**Frontage & Location:** 140 feet on Ramsey Street

**Depth:** 312 feet

**Jurisdiction:** County

**Adjacent Property:** Yes

**Current Use:** Quilt shop

**Initial Zoning:** August 21, 1972 (Area 1)

**Previous Zoning Action(s):** Violation-no letter sent

**Surrounding Zoning:** North-PND and C1, East-RR and PND, South-RR, PND and C(P), West-PND

**Surrounding Land Use:** Insurance company, junkyard/open storage of cars, quadplex's, shriners, commercial business, school

**2010 Land Use Plan:** Suburban Density Residential

**Designated 100-Year Floodplain or Floodway:** No Flood

**Watershed Area:** Yes

**Urban Services Area:** Yes

**Water/Sewer Availability:** PWC / Septic tank

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

**School Capacity/Enrollment:** Raleigh Road Elementary 182/259, Long Hill Elementary 406/493, Pine Forest Middle 872/775, Pine Forest High 1705/1674

**Thoroughfare Plan:** Ramsey Street is identified as a Major Thoroughfare. It has a current adequate 100 foot right-of-way. Road improvements are included in the 2004-2010 MTIP. ROW Acquisition-post years, Construction-post years, Currently unfunded.

**Average Daily Traffic Count (2000):** 7,500 on Ramsey Street

#### **Notes:**

1. Hours of Operation: 8:30 am to 9:00 pm, Monday thru Saturday (previously 10:00 am to 9:00 pm)
2. Signage: top-5ft x 12ft, bottom-4ft x 10ft, height-18ft, Location: at the property line (previously-same signage as allowed in the R10 district)
3. Employees: 27 (previously 12)
4. Parking: 51 spaces (previously 23)
5. Lighting to be directed inward
6. Buffering: South side-privacy fence with vegetative landscaping, North and East (rear)side-Vegetative landscaping.

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December 16, 2004

MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATION FOR  
DECEMBER 21, 2004 MEETING

P04-72: REZONING OF .39 ACRES FROM C3 TO R10, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 1402 MACK STREET, SUBMITTED BY THE TOWN OF SPRING LAKE, OWNED BY JOYCE F. CHASTAIN.

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

1. The Town of Spring Lake requested the R10 rezoning, and
2. The Spring Lake Land Use Plan calls for low-density residential development at this location.



## SITE PROFILE

### P04-72

REZONING OF .39 ACRES FROM C3 TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 1402 MACK STREET, SUBMITTED BY THE TOWN OF SPRING LAKE AND OWNED BY JOYCE F. CHASTAIN.

#### **Site Information:**

**Applicant/Owner:** TOWN OF SPRING LAKE / JOYCE F. CHASTAIN

**Area:** .39 acres

**Frontage & Location:** 90 feet on Mack Street

**Depth:** 190 feet

**Jurisdiction:** Spring Lake

**Adjacent Property:** None

**Current Use:** Residential

**Previous Zoning Action(s):** None

**Surrounding Zoning:** North-R10, R6A, R5A, C(P), C3, East-R6, R6A, R5A, C1, C3, M1, city limit, South-R6, R6A, C(P), C3 and West-RR, R10, R5A, C(P)

**Surrounding Land Use:** Auto shop, day care (2), wastewater resource department, cemetery, dry cleaning business, commercial building, church, bank, plaza

**Spring Lake Land Use Plan:** Low Density Residential

**Designated 100-Year Floodplain or Floodway:** No Flood

**Urban Services Area:** Yes

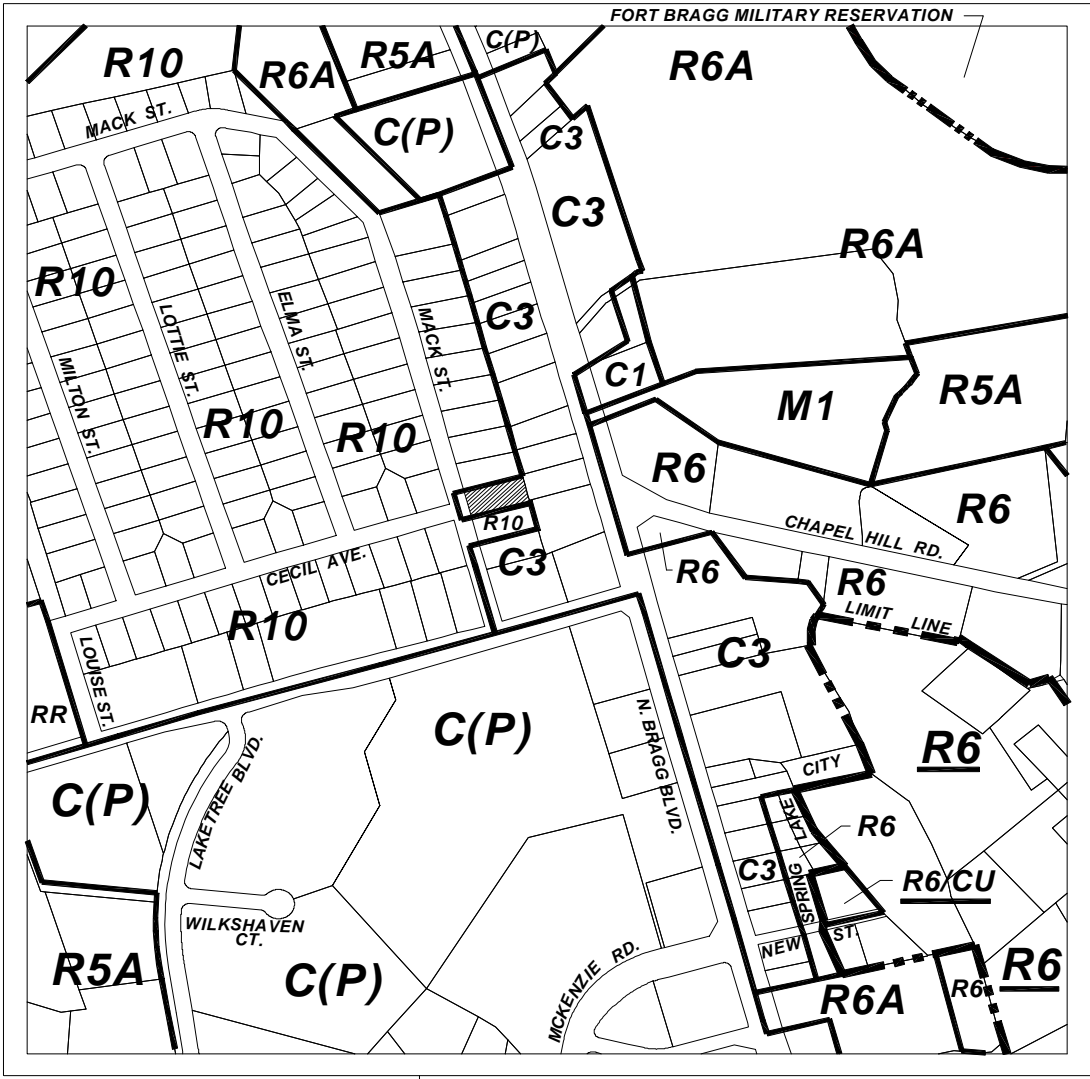
**Water/Sewer Availability:** Spring Lake utilities

**NAPZ (Ft Bragg/Pope AFB):** 1-Mile Buffer Zone - Pope AFB has no objections to this case.

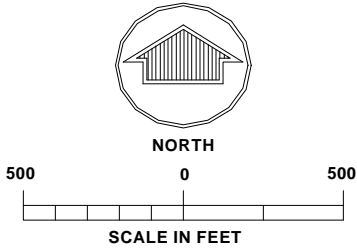
**School Capacity/Enrollment:** Williams Elementary 115/74, Manchester Elementary 442/384, Spring Lake Middle 644/608, Pine Forest High 1705/1674

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

**Notes:**



**REQUESTED REZONING:  
C3 TO R10**



ACREAGE: 0.39 AC.±		HEARING NO: P04-72	
ORDINANCE: SPRING LAKE		HEARING DATE	ACTION
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0502-42-8010

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December 16, 2004

MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATION FOR  
DECEMBER 21, 2004 MEETING

P04-79: INITIAL ZONING OF 4.58 ACRES TO R5, OR A MORE RESTRICTIVE ZONING DISTRICT, ON MCNEIL STREET, SOUTH OF CHAPEL HILL ROAD, SUBMITTED BY THE TOWN OF SPRING LAKE, OWNED BY FRANK K. AND JACQUELINE W. HARNEY.

The Planning staff recommends approval of the R5 Residential District initial zoning based on the following:

1. The Spring Lake Board of Aldermen requested that the property be zoned R5.

## **SITE PROFILE**

### **P04-79**

INITIAL ZONING OF 4.58 ACRES TO R5 OR TO A MORE RESTRICTIVE ZONING DISTRICT, ON MCNEIL STREET, SOUTH OF CHAPEL HILL ROAD, SUBMITTED BY THE TOWN OF SPRING LAKE AND OWNED BY FRANK K. AND JACQUELINE W. HARNEY.

#### **Site Information:**

**Applicant/Owner:** TOWN OF SPRING LAKE / FRANK K. AND JACQUELINE W. HARNEY

**Area:** 4.58 acres

**Frontage & Location:** 254 feet on McNeil Street

**Depth:** 622 feet

**Jurisdiction:** Spring Lake

**Adjacent Property:** No

**Current Use:** Vacant residential

**Surrounding Land Use:**

**Previous Zoning Action(s):** None

**Surrounding Zoning:** North, South, West-County limits, and East-R10, R6/MHO, R5A,

**Surrounding Land Use:** Mobile home park (2), auto repair, shopping center, car rental

**2010 Land Use Plan:** Medium Density Residential

**Spring Lake Land Use Plan:** Low Density Residential

**Designated 100-Year Floodplain or Floodway:** No Flood

**Urban Services Area:** Yes

**Water/Sewer Availability:** Spring Lake utilities

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

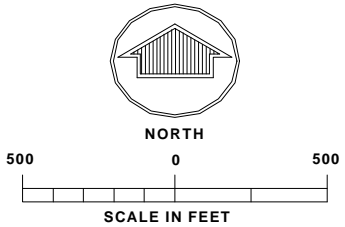
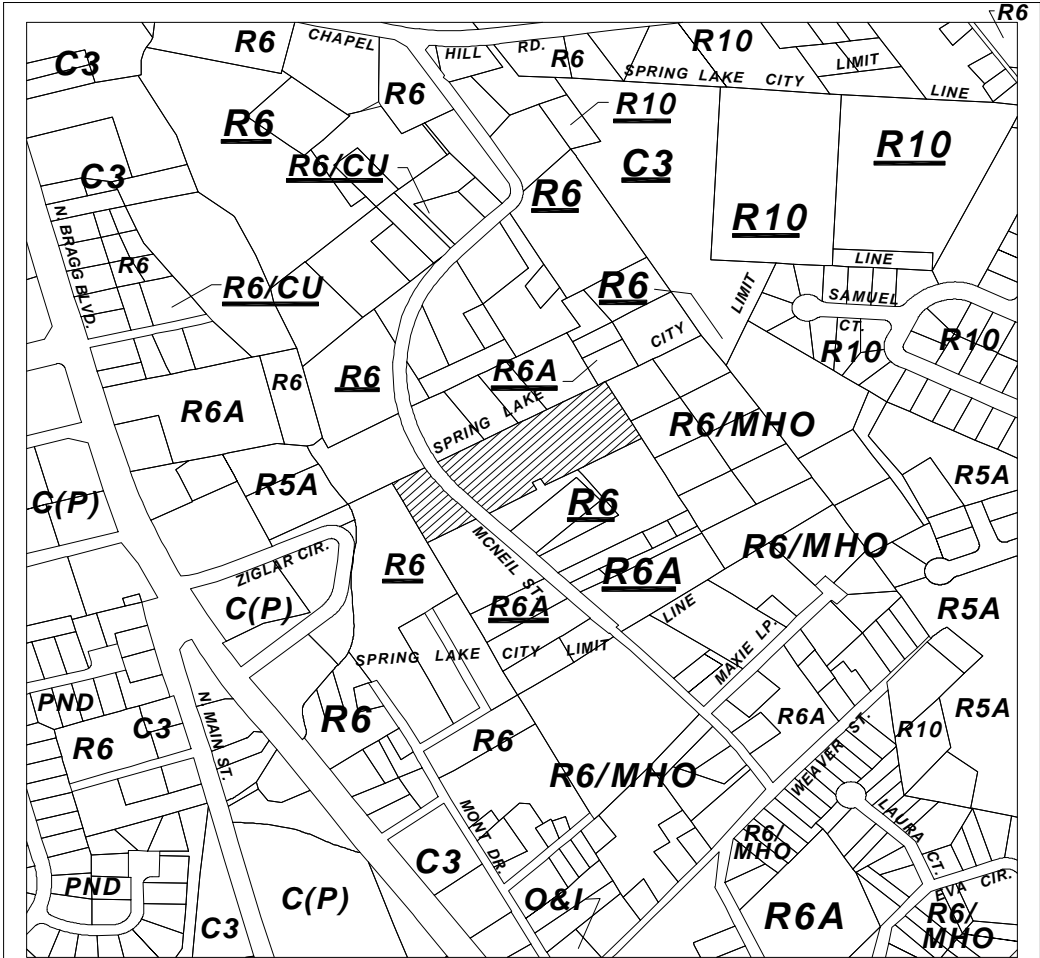
**School Capacity/Enrolled:** Lillian Black Elementary 302/279, Spring Lake Middle 644/608, Pine Forest High 1705/1674

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

#### **Notes:**

R5A – 66 units

R5 – 78 units



## INITIAL ZONING TO R5

ACREAGE: 4.58 AC.±	HEARING NO: P04-79	
ORDINANCE: SPRING LAKE	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

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P04-80: REZONING OF 1.85 ACRES FROM R5A TO O&I, OR A MORE RESTRICTIVE ZONING DISTRICT, ON THE EAST SIDE OF RAMSEY STREET, SOUTH OF CARVERS FALLS ROAD, SUBMITTED BY CRAWFORD B. MACKETHAN, OWNED BY JAMES I. JONES, JR.

The Planning staff recommends approval of the O&I Office and Institutional District based on the following:

1. The uses allowed in the O&I District are compatible with the uses in the surrounding area; and
2. The rezoning will allow for services needed to serve the residents of the area.

## SITE PROFILE

### P04-80

REZONING OF 1.85 ACRES FROM R5A TO O&I OR TO A MORE RESTRICTIVE ZONING DISTRICT, ON THE EAST SIDE OF RAMSEY STREET, SOUTH OF CARVERS FALLS ROAD, SUBMITTED BY CRAWFORD B. MACKETHAN AND OWNED BY JAMES I. JONES, JR.

#### **Site Information:**

**Applicant/Owner:** CRAWFORD B. MACKETHAN / JAMES I. JONES, JR.

**Area:** 1.85 acres

**Frontage & Location:** 200 feet on Ramsey Street

**Depth:** 395 feet

**Jurisdiction:** County

**Adjacent Property:** No

**Current Use:** Vacant

**Initial Zoning:** August 21, 1972 (Area 1)

**Previous Zoning Action(s):** None

**Surrounding Land Use:** Realty company, apartments (2), quadplex's, church

**Surrounding Zoning:** Surrounded by Fayetteville city limits

**2010 Land Use Plan:** Medium Density Residential

**North Fayetteville Study Area:** Medium Density Residential

**Designated 100-Year Floodplain or Floodway:** No Flood

**Watershed Area:** Yes – Will require a Watershed Protection permit

**Within Area Considered for Annexation:** No

**Urban Services Area:** Yes

**Water/Sewer Availability:** PWC / PWC

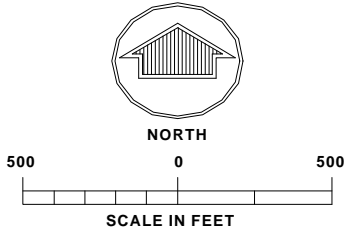
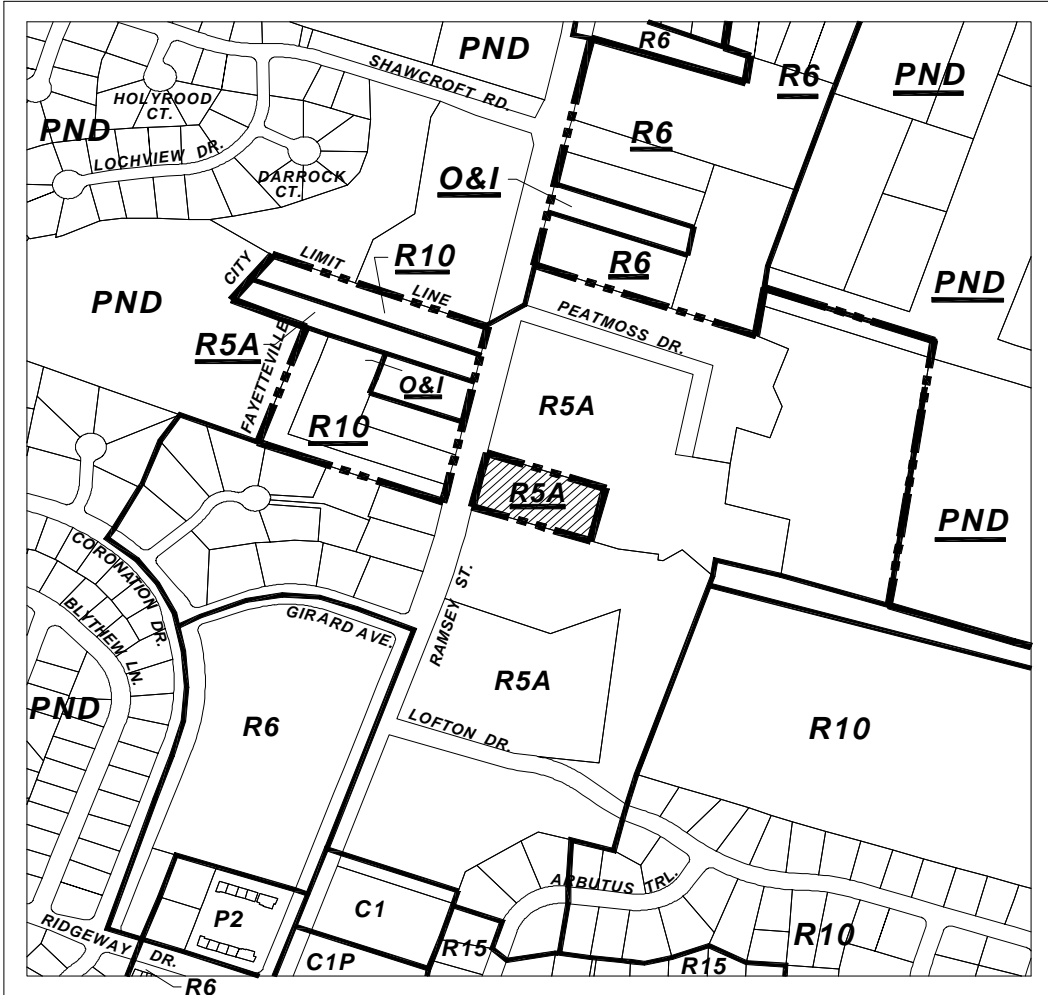
**NAPZ (Ft. Bragg/Pope AFB):** Pope AFB has no objections to this case.

**School Capacity/Enrollment:** Raleigh Road Elementary 182/259, Long Hill Elementary 406/493, Pine Forest Middle 872/775, Pine Forest High 1705/1674

**Thoroughfare Plan:** Ramsey Street is identified as a Major Thoroughfare. It has a current adequate 100-foot right-of-way. Road improvements are included in the 2004-2010 MTIP. Right-of-Way Acquisition: Post Years, Construction: Post Years

**Average Daily Traffic Count (2000):** 21,000 on Ramsey Street

**Notes:**



## REQUESTED REZONING: R5A TO O&I

ACREAGE: 1.85 AC.±	HEARING NO: P04-80	
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0530-87-4662

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December 16, 2004

MEMO TO: PLANNING BOARD  
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DECEMBER 21, 2004 MEETING

P04-81: REZONING OF .28 ACRES FROM O&I TO C1 OR A MORE RESTRICTIVE ZONING DISTRICT, AT 5011 CUMBERLAND ROAD, OWNED BY JULIAN T. MANN, JR.

The Planning staff recommends approval of the C1 Local Business District based on the finding that the uses allowed in the C1 District are consistent with the surrounding land use.

## SITE PROFILE

### P04-81

REZONING OF .28 ACRES FROM O&I TO C1 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 5011 CUMBERLAND ROAD, OWNED BY JULIAN T. MANN, JR.

#### **Site Information:**

**Applicant/Owner:** JULIAN T. MANN, JR.

**Area:** .28 acres

**Frontage & Location:** 133 feet on Cumberland Road

**Depth:** 294 feet

**Jurisdiction:** County

**Adjacent Property:** Yes

**Current Use:** Commercial

**Initial Zoning:** August 1, 1975 (Area 3)

**Previous Zoning Action(s):** None

**Surrounding Land Use:**

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

**Surrounding Land Use:** Mobile home park, apartments, enterprise company, day care, paint company, pest control, church

**2010 Land Use Plan:** Medium Density Residential

**Designated 100-Year Floodplain or Floodway:** No Flood

**Urban Services Area:** Yes

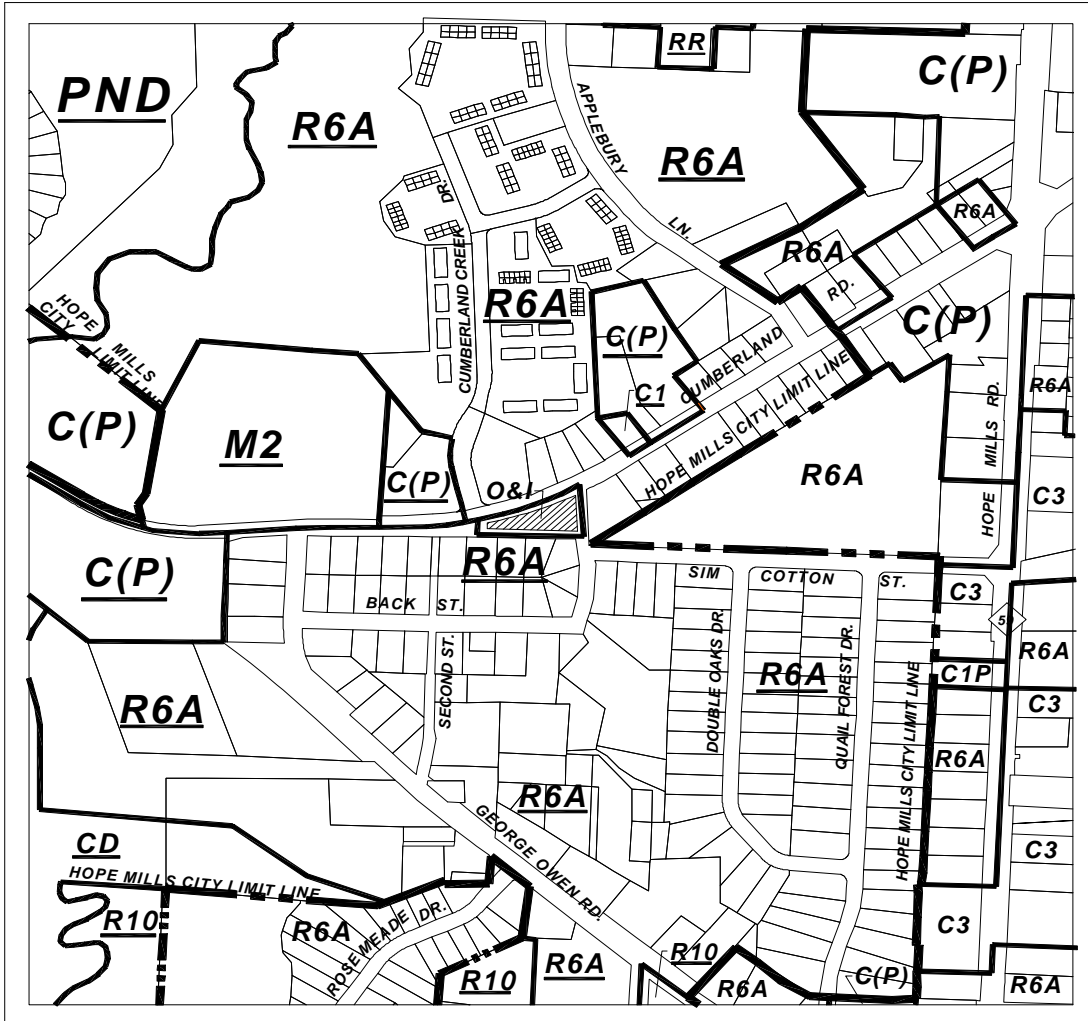
**Water/Sewer Availability:** PWC / Septic Tank (PWC Sewer available on Cumberland Creek Drive)

**School Capacity/Enrollment:** Cumberland Mills 567/557, Ireland Drive Middle 378/386, Douglas Byrd Middle 711/765, Douglas Byrd High 1320/1314

**Thoroughfare Plan:** Cumberland Road is identified as a Major Thoroughfare. It has a current 60-foot right-of-way. At this location the redesigned right-of-way will require a dedicated easement of 28 feet and a utility easement of 10 feet. Road improvements are included in the 2004-2010 MTIP. ROW Acquisition: Currently underway, Construction: 2004-2005.

**Average Daily Traffic Count (2000):** 13,000 on Cumberland Road

**Notes:**



NORTH

500 0 500



SCALE IN FEET

## REQUESTED REZONING: O&I TO C1

ACREAGE: 0.28 AC.±

HEARING NO: P04-81

ORDINANCE: COUNTY

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD

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Cumberland County



## **COUNTY of CUMBERLAND**

### ***Joint Planning Board***

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

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

December 16, 2004

MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATION FOR  
DECEMBER 21, 2004 MEETING

P04-82: REZONING OF FIVE PARCELS TOTALLING 50.5 ACRES FROM RR AND CD TO R10, OR A MORE RESTRICTIVE ZONING DISTRICT, ON THE NORTH AND WEST SIDES OF PINE CONE LANE AND CAMDEN ROAD, SUBMITTED BY K. DOUGLAS BARFIELD, OWNED BY PEARTREE VENTURES, LLC, ET AL.

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;
2. The Planning Board recently approved R10 District in the area; and
3. Water and sewer systems are in place.

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

## SITE PROFILE

### P04-82

REZONING OF FIVE PARCELS TOTALLING 50.5 ACRES FROM RR AND CD TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT THE NORTH AND WEST SIDES OF PINE CONE LANE AND CAMDEN ROAD, SUBMITTED BY K. DOUGLAS BARFIELD, OWNED BY PEARTREE VENTURES, LLC, ET AL.

#### **Site Information:**

**Applicant/Owner:** K. DOUGLAS BARFIELD / PEARTREE VENTURES, LLC, ET AL.

**Area:** 50.5 acres

**Frontage & Location:** 910 ft on Camden Road and 60 feet on Pine Cone Lane

**Depth:** 1,660 feet

**Jurisdiction:** County

**Adjacent Property:** Yes

**Current Use:** Vacant

**Initial Zoning:** February 6, 1976 (Area 5)

**Previous Zoning Action(s):** None

**Surrounding Zoning:** North-CD, RR, R10, East-RR, RR/CU, R10, R6A, and South and West-CD, RR

**Surrounding Land Use:** Church

**2010 Land Use Plan:** Activity Node and Low Density Residential

**Designated 100-Year Floodplain or Floodway:** No Flood

**Within Area Considered for Annexation:** No

**Proposed Interchange or Activity Node:** Activity Node

**Urban Services Area:** Yes

**Water/Sewer Availability:** PWC / PWC

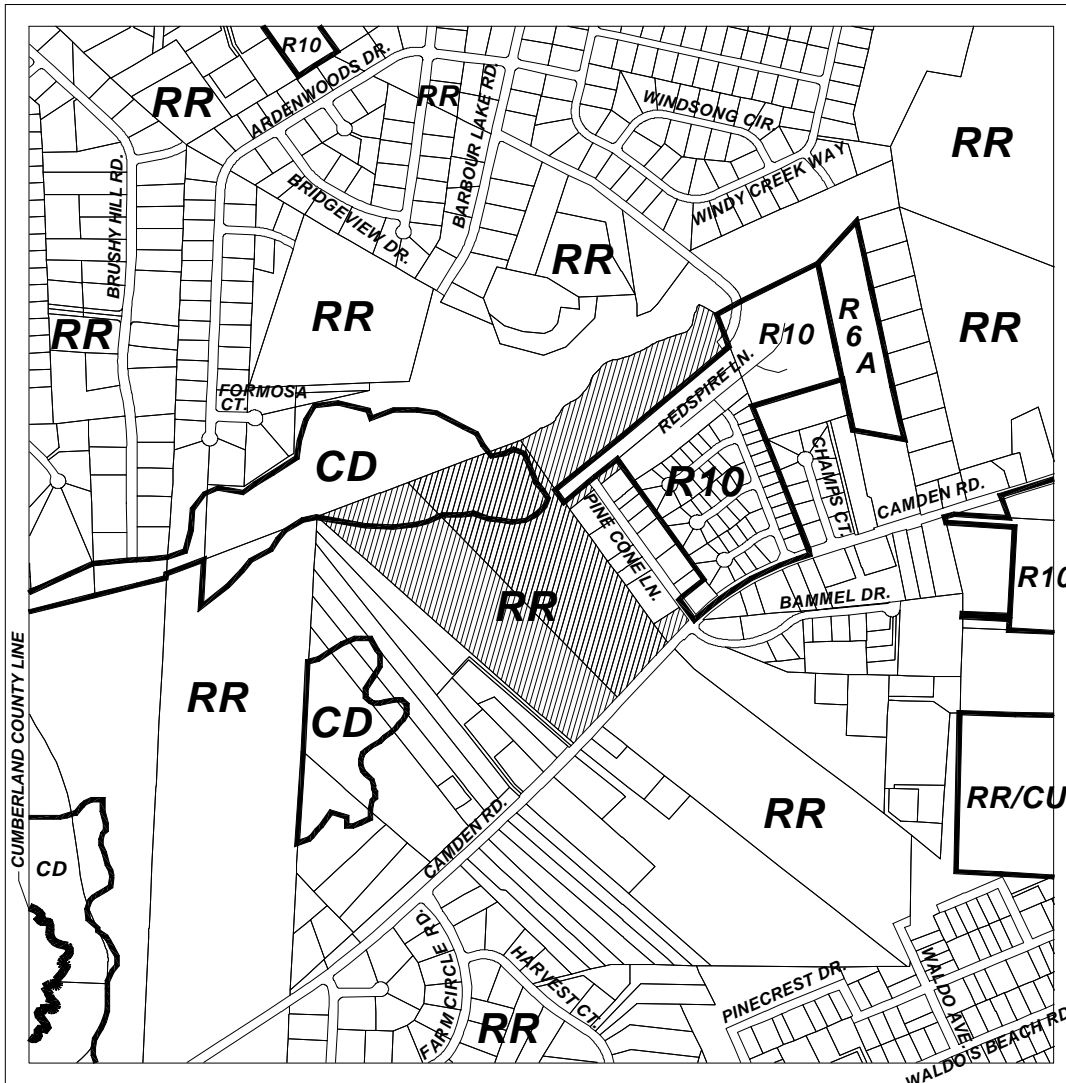
**School Capacity/Enrolled:** Stoney Point Elementary 599/672, John Griffin Middle 1238/1224, Jack Britt High 1750/1721

**Thoroughfare Plan:** Camden Road is identified as a Major Thoroughfare with a current 60-foot right-of-way (110 feet proposed). Road improvements are included in the 2004-2010 MTIP. This site is located in the right-of-way of the Fayetteville Outer Loop Project and will be severely impacted.

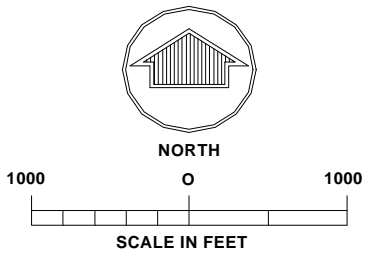
**Average Daily Traffic Count (2000):** 6,500 on Camden Road

#### **Notes:**

Density minus 20%:	RR – 87 lots	RR – 110 units
	R15- 117 lots	R15 – 147 units
	R10 – 175 lots	R10 – 293 units



## REQUESTED REZONING: RR & CD TO R10



<b>ACREAGE: 50.5 AC. ±</b>		<b>HEARING NO: P04-82</b>	
ORDINANCE: COUNTY		HEARING DATE	ACTION
PLANNING BOARD			
GOVERNING BOARD			

PORT PINS: 9494-24-5182, -23-1821, -34-0609, -35-0271  
 PIN: 9494-33-3688, -24-8466

**Clifton McNeill, Jr.**  
**Chair**  
**Cumberland County**

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December 16, 2004

MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATION FOR  
DECEMBER 21, 2004 MEETING

P04-83: REZONING OF A .51 ACRE PORTION OF A 1.03 ACRE TRACT FROM R40 TO RR,  
OR A MORE RESTRICTIVE ZONING DISTRICT, AT 2828 BLOSSOM ROAD, SUBMITTED BY  
JOHN D. PONE, OWNED BY MARY D. PONE.

The Planning staff recommends approval of the RR Rural Residential District based  
on the finding that the RR District is consistent with the zoning and land use in the area.

## **SITE PROFILE**

### **P04-83**

REZONING OF A .51 ACRE PORTION OF A 1.03 ACRE TRACT FROM R40 TO RR OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 2828 BLOSSOM ROAD, SUBMITTED BY JOHN D. PONE AND OWNED BY MARY D. PONE.

#### **Site Information:**

**Applicant/Owner:** JOHN D. PONE / MARY D. PONE

**Area:** .51 acres

**Frontage & Location:** 185 feet on Blossom Road

**Depth:** 294 feet

**Jurisdiction:** County

**Adjacent Property:** No

**Current Use:** Vacant

**Initial Zoning:** March 1, 1994 (Area 17)

**Previous Zoning Action(s):** None

**Surrounding Zoning:** North and East-A1, RR, South-A1, R40, and West-A1, R40, RR

**Surrounding Land Use:** Single family residential

**2010 Land Use Plan:** Farmland

**Designated 100-Year Floodplain or Floodway:** No Flood

**Urban Services Area:** No

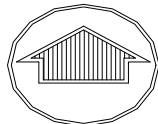
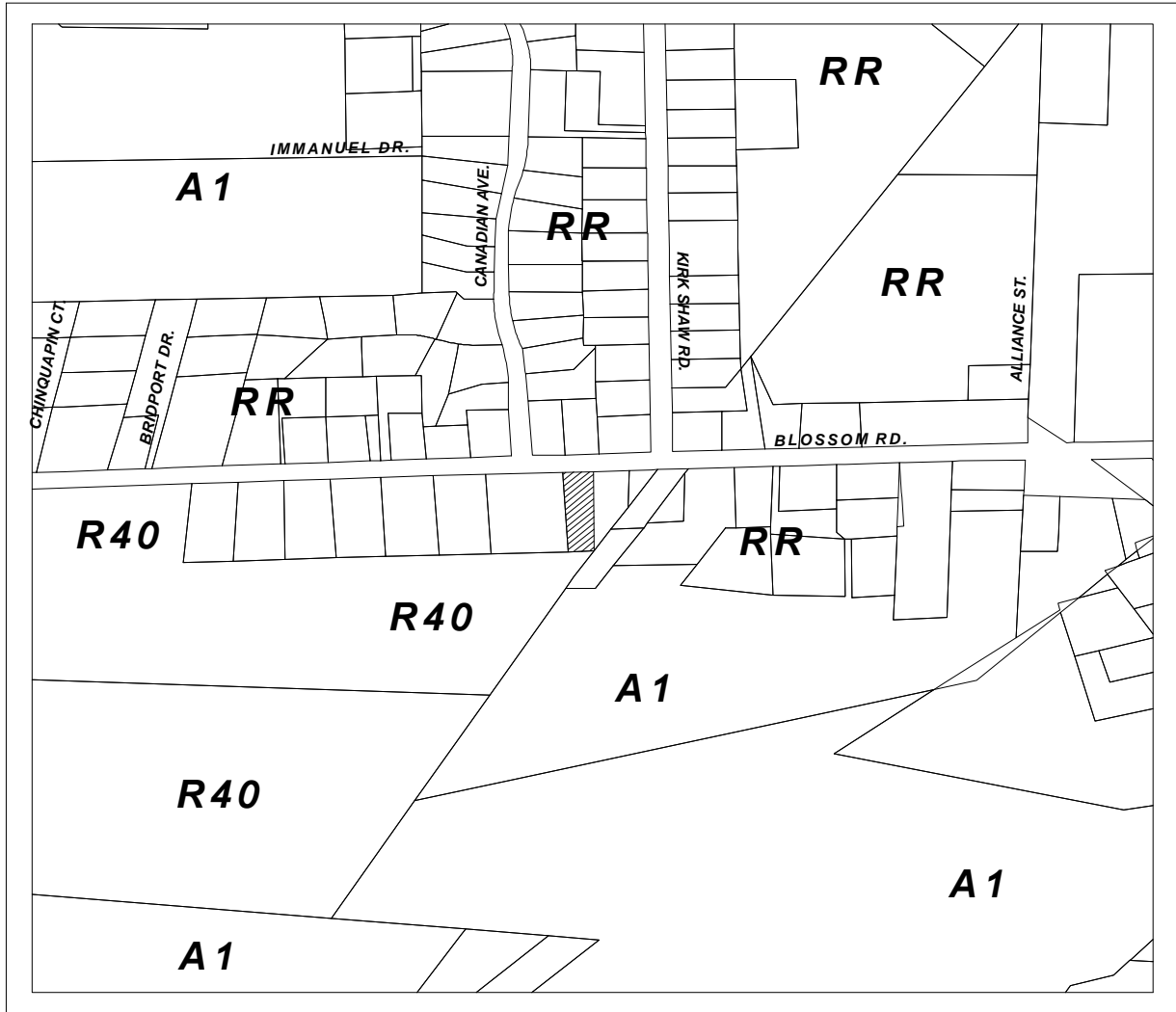
**Water/Sewer Availability:** Well / Septic Tank

**School Capacity/Enrolled:** Grays Creek Elementary 901/955, Grays Creek Middle 450/520, Grays Creek High 1000/955

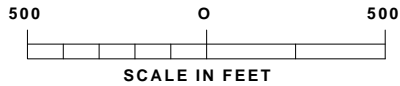
**Thoroughfare Plan:** No road improvements or new construction specified for this area.

**Notes:**





NORTH



## REQUESTED REZONING: R40 TO RR

ACREAGE: 0.51 AC. ±	HEARING NO: P04-83	
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PORTION OF PIN: 0442-53-2141

SP

**Clifton McNeill, Jr.**  
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December 16, 2004

MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATION FOR  
DECEMBER 21, 2004 MEETING

P04-84: REZONING OF TWO PARCELS TOTALLING 6.42 ACRES FROM A1 TO R40A OR A MORE RESTRICTIVE ZONING DISTRICT AT 4463 AND 4475 SANDEROSA ROAD, OWNED BY PHILLIP T. DAVIS.

The Planning staff recommends approval of the R40A Residential District based on the finding that the Eastover Land Use Plan calls for low-density residential development at this location.

## SITE PROFILE

### P04-84

REZONING OF TWO PARCELS TOTALLING 6.42 ACRES FROM A1 TO R40A OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 4463 AND 4475 SANDEROSA ROAD, OWNED BY PHILLIP T. DAVIS.

#### **Site Information:**

**Applicant/Owner:** PHILLIP T. DAVIS

**Area:** 6.42 acres

**Frontage & Location:** 172 feet on Sanderosa Road

**Depth:** 667 feet

**Jurisdiction:** County

**Adjacent Property:** No

**Current Use:** Residential

**Initial Zoning:** August 23, 1994 (Area 19)

**Previous Zoning Action(s):** None

**Surrounding Zoning:** North-A1, R40, RR, R15, East-A1, RR, South-A1, RR, R10, and West-A1, RR, R15

**Surrounding Land Use:** Golf course

**Eastover Land Use Plan:** Low Density Residential

**Designated 100-Year Floodplain or Floodway:** No Flood

**Urban Services Area:** Yes

**Water/Sewer Availability:** Well / Septic Tank (PWC Water and Sewer available on part of Wild Pine Drive)

**School Capacity/Enrolled:** Eastover Central Elementary 311/356, Mac Williams Middle 1218/1153, Cape Fear High 1415/1501

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

**Average Daily Traffic Count (2000):** 240 on Sanderosa Road

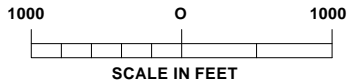
#### **Notes:**

A1 – 3 units

R40A – 7 units



NORTH



**REQUESTED REZONING:  
A1 TO R40A**

ACREAGE: 6.42 AC. ±	HEARING NO: P04-84	
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0478-20-0159  
PIN: 0477-29-3607

AF

**Clifton McNeill, Jr.**  
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December 16, 2004

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

P04-85: REZONING OF 42.81 ACRES FROM A1 TO R10/CU FOR A CONDITIONAL USE OVERLAY DISTRICT AND PERMIT TO ALLOW SINGLE-FAMILY RESIDENTIAL SOUTH OF SAND HILL ROAD, NORTHEAST OF CELEBRATION DRIVE, SUBMITTED BY MOORMAN, KIZER AND REITZEL, INC., OWNED BY PREWITT LAND COMPANY, LLC.

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 approval of the R10 Residential District based on the finding that the 2010 Land Use Plan calls for low-density residential development at this location.

## SITE PROFILE

### P04-85

REZONING OF 42.81 ACRES FROM A1 TO R10/CU FOR A CONDITIONAL USE OVERLAY DISTRICT AND PERMIT TO ALLOW SINGLE FAMILY RESIDENTIAL SOUTH OF SAND HILL ROAD, NORTHEAST OF CELEBRATION DRIVE, SUBMITTED BY MOORMAN, KIZER AND REITZEL, INC., OWNED BY PREWITT LAND COMPANY, LLC.

#### **Site Information:**

**Applicant/Owner:** MOORMAN, KIZER AND REITZEL, INC. / OWNED BY PREWITT LAND COMPANY, LLC.

**Area:** 42.81 acres

**Depth:** 680 feet

**Jurisdiction:** County

**Adjacent Property:** Yes

**Current Use:** Woodland

**Initial Zoning:** June 25, 1980 (Area 13)

**Previous Zoning Action(s):** None

**Surrounding Zoning:** North-A1, R40, RR, R10, M(P), East-A1, R20/CU, R10, R10/CU, South-A1, R10/CU, and West-A1, R10/CU, R6/CU, O&I/CU, C(P)

**Surrounding Land Use:** Single family residential

**2010 Land Use Plan:** Low Density Residential

**Designated 100-Year Floodplain or Floodway:** No Flood

**Urban Services Area:** Yes

**Water/Sewer Availability:** PWC / PWC

**Subdivision:** 04-204 and 02-226, a zero lot line subdivision

**School Capacity/Enrolled:** Gallberry Farms Elementary 901/959, Grays Creek Middle 450/520, Grays Creek High 1000/955

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

**Average Daily Traffic Count (2000):** 11,000 on Chicken Foot Road

#### **Notes:**

1. This case is associated with and considered as a condition to Case P02-04, a conditional use overlay district and permit for a mixed use development
2. R10 Density minus 20%: 149 lots
3. Applicant requests a density of 80-120 units
4. Dimensional requirements as required by R10 zoning
5. Signage – in accordance with the ordinance

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: Proposed Addition to Case #P02-04

The property sought for Conditional Use Overlay is located:

Address Southside Ashby Creek - Hope Mills, NC 28348  
(Street address or Route and Box #, and Zip Code)

Located on South of Ashby Creek, North of Celebration Drive  
(Name of Street/ Road, or General Directions to Site)

Parcel Identification Number 0432 - 05 - 17 - 0945  
(obtain from Tax Receipt or from Office of the Tax Administrator 678-7567)

Lot(s) # - Frontage - feet Depth - Containing 42.81 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: Prewitt Land Company, LLC

as evidenced by deed from McDonald & Ingram

as recorded in Deed Book 6237, Page(s) 722-724, Cumberland County Registry.

\*\*\*\*\*  
It is requested that the foregoing property be rezoned as Conditional Use Overlay District from A-1 to R-10 Conditional Use.  
\*\*\*\*\*

Proposed use of property requested for Conditional Use: Single Family Residential (R-10)  
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.

APPLICATION FOR  
CONDITIONAL USE OVERLAY DISTRICT

1. Proposed uses(s):

- A. List the uses proposed for the Conditional Use Overlay District. (Use of the underlying district will continue to be legal, unless otherwise restricted.)

Single Family Residential

- B. Justification in terms of need and benefit to the community. Include a statement regarding how the uses will be compatible.

This is an area of the county that is actively growing with residential which is needed to serve the nearby industrial park. Schools have been constructed in the area.

- C. Density: (If the project is to include residential units, state the number of dwelling units proposed for the project and the gross number of acres to be used.)

An anticipated density of 80 - 120 units.

2. Dimensional Requirements:

- A. Reference either the dimensional requirements of district as shown in Section 7.3 or list proposed setbacks.

As required by the R-10 zoning ordinance.

- B. Off-street parking and loading.

As required by ordinance.



3. Sign Requirements:

A. Reference district sign regulations proposed from Section 9.4.

9.41 - Residential signs as per ordinance.

B. List any variance proposed from those regulations.

None

4. 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.

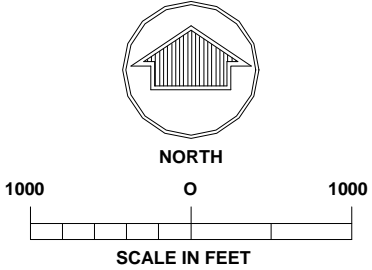
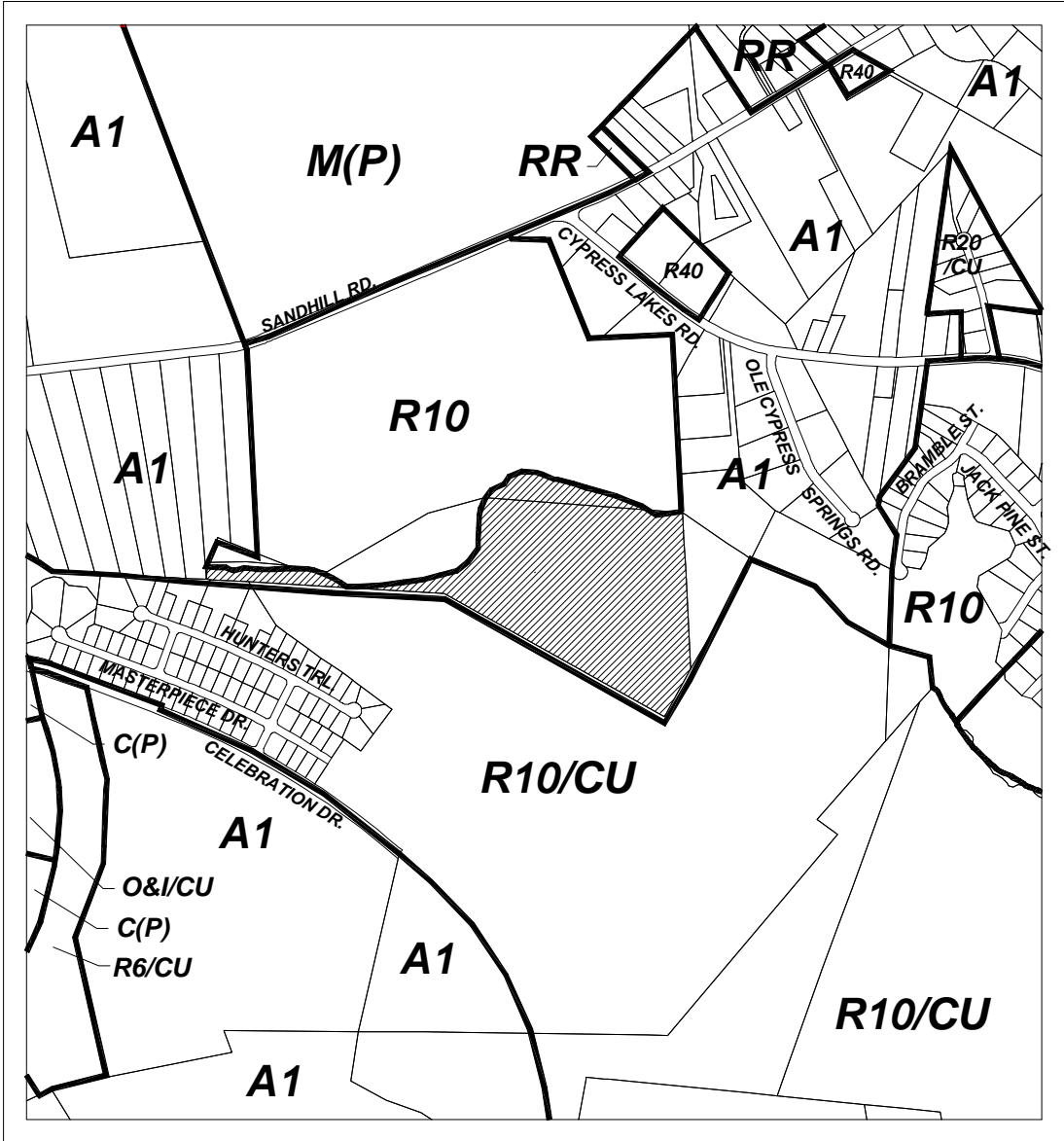
N/A

5. 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.

6. 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.



**REQUESTED REZONING:  
A1 TO R10/CU**

<b>ACREAGE: 42.81 AC. ±</b>		<b>HEARING NO: P04-85</b>	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

PIN:0432-17-0945

SP