

Charles C. Morris
Chair
Town of Linden
Donovan McLaurin
Vice-Chair

Wade, Falcon & Godwin
Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman



COUNTY of CUMBERLAND

Planning and Inspections Department

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

Clifton McNeill, Jr.,
Roy Turner,
Lori Epler,
Sara E. Piland,
Cumberland County

TENTATIVE AGENDA DECEMBER 06, 2005 7:00 p.m.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRALS
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. CONSENT ITEMS
 - A. APPROVAL OF THE MINUTES OF NOVEMBER 15, 2005
 - B. 2006-2007 ZONING MEETING SCHEDULE
 - C. 2006-2007 PLATS & PLANS MEETING SCHEDULE

PLAT & PLAN

- A. CASE 05-206: CONSIDERATION OF THE ANIMAL CONTROL & SHERIFF'S TRAINING FACILITIES, M(P) SITE PLAN REVIEW, SECTION 1104 "DISTRICT DIMENSIONAL PROVISIONS", CUMBERLAND COUNTY ZONING ORDINANCE, NORTHWEST END OF SR 2333 (CORPORATION DRIVE), NORTH OF SR 2220 (TOM STARLING ROAD).
- VII. PRESENTATION – DENSITY DEVELOPMENT CONCEPT
- VIII. PUBLIC HEARING ITEMS

REZONING CASE

- A. P05-79: REZONING OF FOUR PARCELS TOTALING 149.01 ACRES FROM R40/DD/CUD TO R40, LOCATED SOUTH OF UNDERWOOD ROAD, EAST OF RIVER ROAD, SUBMITTED BY JOHN KOENIG, OWNED BY CATHERINE DOUGAN ARMITAGE, GILBERT M., SR. AND JANIE SMITH.
- IX. DISCUSSION
 - A. ADMINISTRATIVE COMMITTEE UPDATE
- X. FOR YOUR INFORMATION
 - A. DIRECTOR'S UPDATE
- XI. ADJOURNMENT

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MINUTES NOVEMBER 15, 2005

Members Present

Mr. Charles Morris, Chair
Director
Mr. Donovan McLaurin, Vice-Chair
Director
Mr. Garland Hostetter
Ms. Sara Piland
Ms. Lori Epler
Attorney
Mr. Roy Turner
Mr. Harvey Cain
Ms. Diane Wheatley, County Commissioner

Others Present

Ms. Nancy Roy,
Mr. Tom Lloyd, Dep.
Ms. Annette Nunnery
Mr. Grainger Barrett,
County
Ms. Donna McFayden

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Epler delivered the invocation, and led those present in the Pledge of Allegiance.

II. APPROVAL OF/ADJUSTMENT TO AGENDA

Tom Lloyd advised the Board that case #05-174 would be moved to the Consent Agenda. The developer had reached an agreement with staff to provide a paved walkway in lieu of a stub. **A motion to approve was made by Ms. Epler and seconded by Ms. Piland. Motion carried.**

III. PUBLIC HEARING DEFERRALS

There were no public hearing deferrals.

IV. ABSTENTIONS BY BOARD MEMBERS

Ms. Epler requested abstention regarding cases P05-89 and P05-90. Mr. McLaurin abstained from case #P05-84. **A motion to accept the abstentions was made by Mr. McLaurin and seconded by Mr. Cain. Motion carried.**

V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

VI. CONSENT ITEMS

A. APPROVAL OF THE MINUTES OF NOVEMBER 1, 2005

A motion was made by Mr. McLaurin and seconded by Ms. Piland to

approve the Minutes of November 1, 2005 as written. The motion passed unanimously.

A motion to accept the consent items was made by Mr. Cain and seconded by Ms. Piland. Motion carried. Donovan McLaurin abstained from the vote.

VII. PUBLIC HEARING ITEMS

There were no Public Hearing items.

VIII. PLAT & PLAN

P05-174 moved to consent agenda and approved.

IX. DISCUSSION

A. ADMINISTRATIVE COMMITTEE UPDATE

Chair Morris reported that the Administrative Committee had met and initiated the process of hiring a new planning director. The advertisement will run by December 1st in the Winston-Salem Journal, the Fayetteville Observer, The Charlotte Observer, The Raleigh News & Observer, and the APA Journal, print and internet. **Chair Morris presented the motion from the Committee to recommend Tom Lloyd as the Interim/Acting Director effective January 1, 2006. Ms. Piland seconded. Unanimous approval by the Board.**

X. DIRECTOR'S UPDATE

Nancy Roy reported that the 2030 Task Force report had been presented to the County Commissioners. A summary of the plan is available on the County's website. Specific results of individual meetings will be made available upon request.

XI. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:29 p.m.

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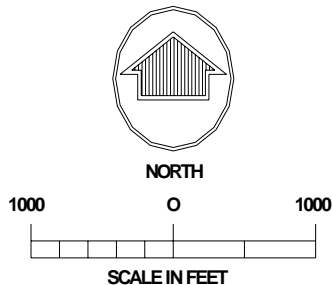
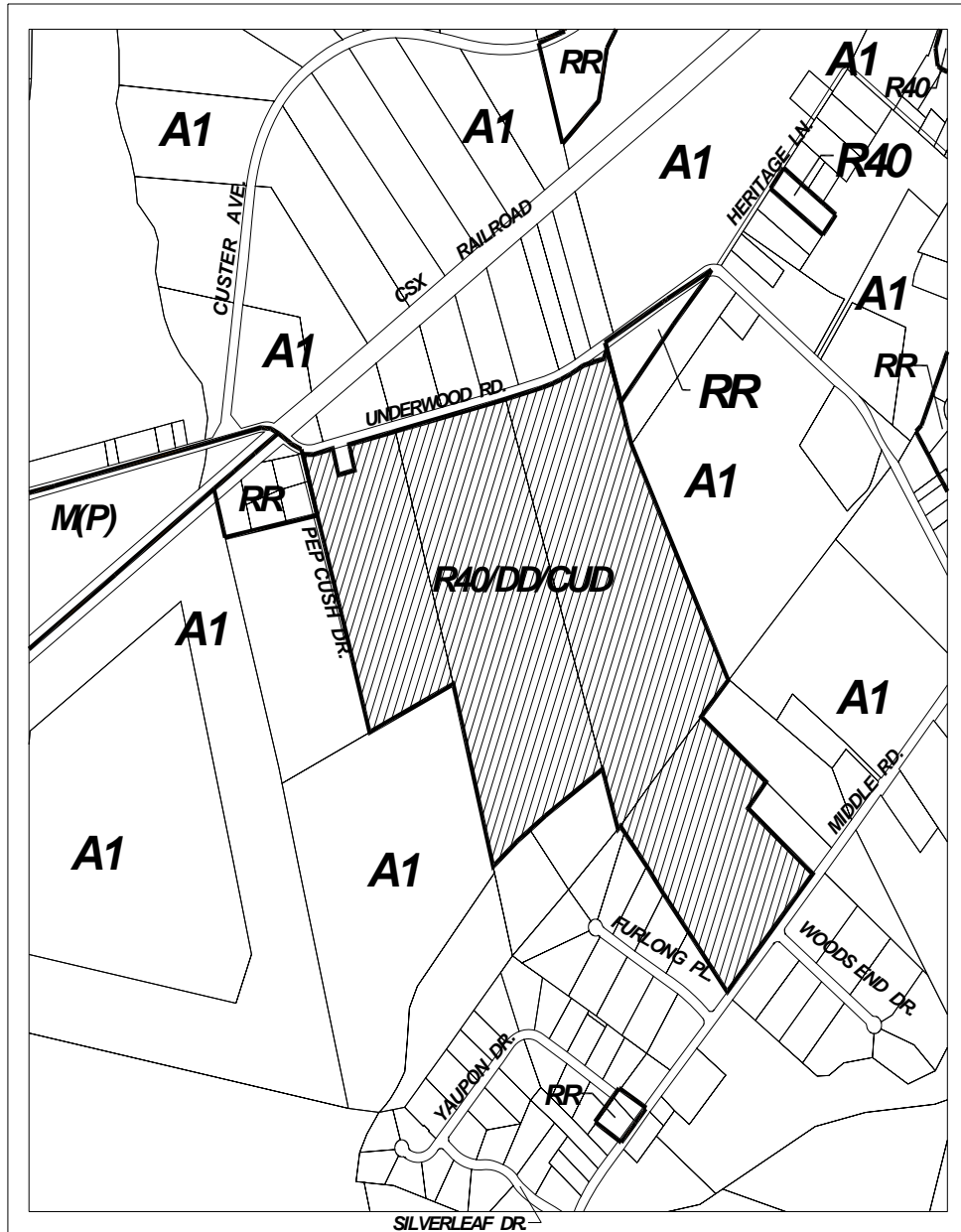
December 1, 2005

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: STAFF RECOMMENDATIONS
FOR DECEMBER 6, 2005

P05-79: REZONING OF FOUR PARCELS TOTALING 149.01 ACRES FROM R40/DD/CUD TO R40, LOCATED SOUTH OF UNDERWOOD ROAD, EAST OF RIVER ROAD, SUBMITTED BY JOHN KOENIG, OWNED BY CATHERINE DOUGAN ARMITAGE, GILBERT M., SR. AND JANIE SMITH.

The Planning staff recommends approval of R40 Residential District based on the finding that the 2010 plan calls for 1 acre lots at this location.

It should be noted that the Density Development Conditional Use District remains the preferred recommendation of the staff for environmentally sensitive areas such as this particular tract.



**REQUESTED REZONING:
R40/DD/CUD TO R40**

ACREAGE: 149.01 AC. ± HEARING NO: P05-79

ORDINANCE: COUNTY HEARING DATE ACTION

PLANNING BOARD

GOVERNING BOARD

SITE PROFILE

P05-79

REZONING OF FOUR PARCELS TOTALING 149.01 ACRES FROM R40/DD/CUD TO R40, LOCATED SOUTH OF UNDERWOOD ROAD, EAST OF RIVER ROAD, SUBMITTED BY JOHN KOENIG, OWNED BY CATHERINE DOUGAN ARMITAGE, GILBERT M., SR. AND JANIE SMITH.

Site Information:

Applicant/Owner: JOHN KOENIG / GILBERT M., SR. 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.

Urban Services Area: Yes

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

School, Capacity/Enrollment: Armstrong Elementary 498/430, Mac Williams Middle 1218/1120, Cape Fear High 1415/1510

Subdivisions: Subdivision review 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 minus 20% for roads

A1 – 59 lots

A1A - 119 lots

R40 – 129 lots

Group Development

A1 – 75 units

A1A - 149 units

R40 – 162 lots

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COUNTY of CUMBERLAND

Planning and Inspections Department

November 30, 2005

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

Clifton McNeill, Jr.,
Roy Turner,
Lori Epler,
Sara E. Piland,
Cumberland County

MEMORANDUM

TO: Planning Board

FROM: Edward M. Byrne, Planner I

SUBJECT: Case No. 05-206
Animal Control & Sheriff's Training Facilities
(M(P) Site Plan Review)

The developer has submitted a requested for alternate yard requirements of Section 1104 "District Dimensional Provisions" Planning Board Consideration". The developer has requested an 85 foot alternate yard where 100 foot is required.

In accordance with Section 1404, Planning Board Consideration, of the County Zoning Ordinance, the Planning Board may approve alternate yard requirements of Article XI if such approval will provide a more logically planned development.

The Planning Staff recommends **approval** of the requested alternate front yard based on the following.

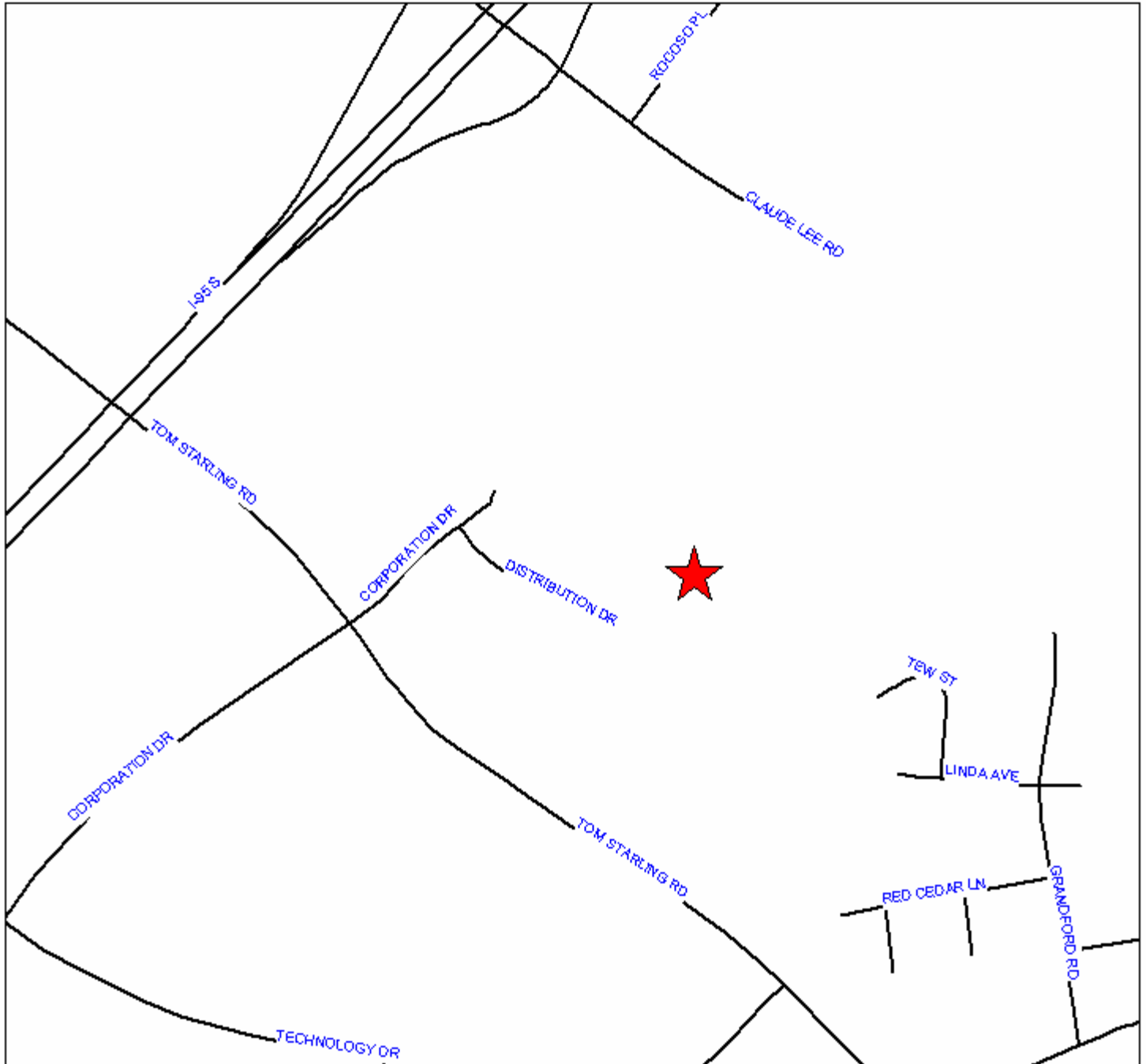
- The location of the proposed structures provides for the most logical layout of this development based on the shape of the tract and taking into consideration the presence of wetlands on this tract that limits the buildable area;
- There would be little if any negative effect on the surrounding properties since the subject property is located at the end of a cul-de-sac and the surrounding property is also within the industrial park.

Attachments:

- 1- Alternate Yard Request
- 1- Conditions of Approval (Draft)
- 1- Site Plan
- 1- Location Map

cc: Developer
Grainger Barrett, County Attorney
Tom Lloyd, Deputy Director
Patricia Speicher, Supervisor, Land Use Codes

**ANIMAL CONTROL & SHERIFF'S TRAINING FACILITIES
M(P) SITE PLAN REVIEW
CASE NO. 05-206**



PIN: 0433-29-7323-
PREPARED BY EMB - CCJPB
NOVEMBER 30, 2005

Map not to scale



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PLANNING STAFF DECISION: 12-01-05	PLANNING BOARD DECISION: 12-06-05 N/A	COUNTY OR COUNCIL MEETING:
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CASE NO: 05-206	NAME OF DEVELOPMENT: TRAINING FACILITY (M(P) SITE PLAN REVIEW)	ANIMAL CONTROL & SHERIFF'S
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THE NORTHWEST END OF SR 2333(CORPORATION DRIVE),	LOCATION: ON ZONING: M(P)
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SR 2220 (TOM STARLING ROAD) OWNER OR DEVELOPER: COUNTY OF CUMBERLAND	PIN: 0433-29-7323- ENGINEER OR DESIGNER: M, K, & R, INC
----------------------------------------------------------------------------	---------------------------------------------------------------

<input checked="" type="checkbox"/> COUNTY FALCON ORDINANCE ORDINANCE	<input type="checkbox"/> GODWIN ORDINANCE	<input type="checkbox"/> STEDMAN ORDINANCE	<input type="checkbox"/> SPRING LAKE ORDINANCE	<input type="checkbox"/>
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PLANNING DEPARTMENT ACTION BOARD	PLANNING BOARD	ACTION	TOWN
<input checked="" type="checkbox"/> PRELIMINARY PRELIMINARY <input type="checkbox"/> FINAL	<input checked="" type="checkbox"/> PRELIMINARY		<input type="checkbox"/>
<input type="checkbox"/> EXTENSION EXTENSION <input type="checkbox"/> REVISION	REVISION <input type="checkbox"/> EXTENSION <input type="checkbox"/>	REVISION	<input type="checkbox"/>
<input checked="" type="checkbox"/> APPROVED CONDITIONALLY CONDITIONALLY	<input type="checkbox"/> APPROVED CONDITIONALLY	<input type="checkbox"/> APPROVED	
<input type="checkbox"/> DENIED	<input type="checkbox"/> DENIED	<input type="checkbox"/> DENIED	

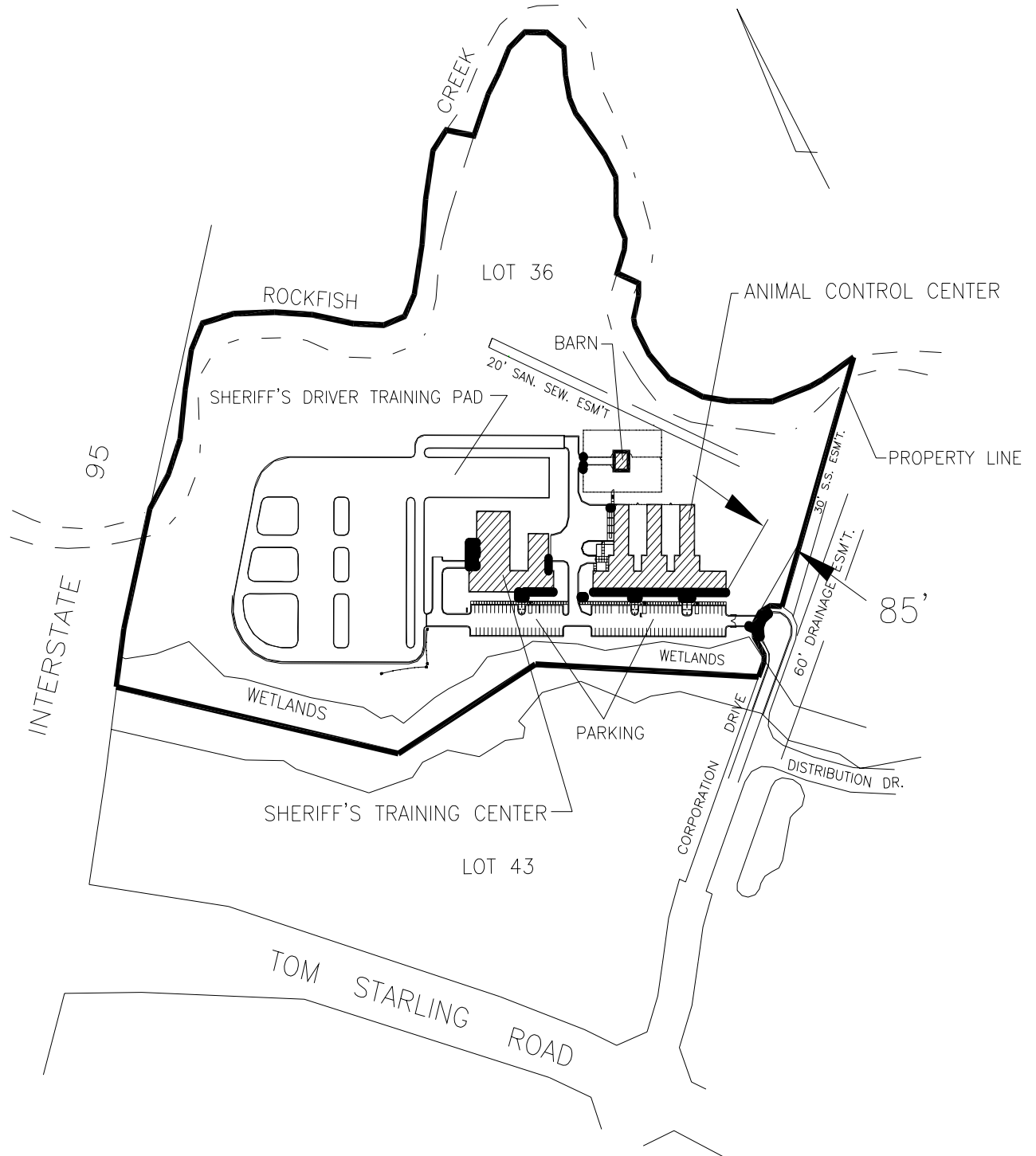
CONDITIONS OF APPROVAL:

1. That connection to public water and sewer is required and the Public Works Commission must approve water and sewer plans prior to application for any permits.
2. That applicant is advised that an expert on wetlands should be consulted before proceeding with any development.

3. That the owner(s)/developer(s) of these lots obtain detailed instructions on permits required to place a structure within this development from the County Code Enforcement Section at 130 Gillespie Street, Room 106. The County Code Enforcement Section will need a copy of this approved condition sheet and map for additional information or the developer should call a County Code Enforcement Officer at 321-6654.
4. That at a minimum a zoning permit is required prior to the placement of any structure on any portion of this development.
5. That a site-specific address and tax parcel number be provided at the time of building/zoning permit application.
6. That the developer provides the County Code Enforcement Section with an approved state sedimentation and erosion control plan prior to any application for permits. If any retention/detention basins are required for state approval of this plan, then five copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any permits.
7. That the signage for this development be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) be obtained prior to the installation of any permanent signs on the property. Note: This conditional approval is **NOT** approval of the size, shape, or location of any signs.
8. That all uses and setbacks be compatible with those permitted in the M(P) zoning classification.
9. That upon development on proposed lot that all first floor elevations, including all mechanical and electrical equipment be at or above the 79' MSL contour elevation based on NGVD 29 and that this contour elevation shall be labeled as the "Special Flood Hazard Area" on any future site plans and/or the final plat and the proper floodplain development permits shall be obtained through the office of the County Engineer prior to any building permit application
10. That the developer needs to obtain a driveway permit from the NC Department of Transportation.
11. That the developer be aware that any addition or revision to this site plan shall require an additional review and approval by the Planning & Inspections Department.
12. That the owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include insuring that the site is kept free of litter and debris, all grass areas mowed, all buffers and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing.
13. That a solid buffer shall be provided in accordance with Section 1102.G, County Zoning Ordinance.

14. That all dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
15. That all required parking spaces shall be a minimum of 9' X 20' and shall be surfaced and striped with a permanent material such as asphalt or concrete. Note: Proposed site plan does not meet the minimum size requirement for off-street parking, prior to issuance of *Certificate of Occupancy*, this condition must be complied with.
16. That all lighting shall be directed internally to the property and shall meet the standards of Section 1102.M, Outdoor Lighting, County Zoning Ordinance.
17. The landscape requirements shall be met as follows:
 - 1) A minimum of 5 large shade trees are required within the front yard or 2 small ornamental trees for each required large shade tree.
 - 2) A minimum of 10 large shade trees and 49 shrubs are required within the yard space area.
 - 3) A minimum of 5 large shade trees are required within the parking areas or 2 small ornamental tree for each required large shade tree.
 - 4) All required plant materials shall be maintained by the property owners, including replacing dead or unhealthy trees and shrubs. Trees shall be maintained in a vertical position at all times.
 - 5) All planting areas shall be kept free of weeds and debris.
18. That the restrictive covenants of the Cumberland Industrial Center must be complied with at all times.
19. The developer has submitted a request for alternate yard requirements, this request will be heard at the December 6, 2005 Cumberland County Joint Planning Board meeting.

IF YOU NEED A CLARIFICATION AND/OR NEGOTIATION OF CONDITION(S)
PLEASE CONTACT ED BYRNE AT
678-7609 OR PATTI SPEICHER 678-7605.



M(P) SITE PLAN REVIEW

ANIMAL CONTROL & SHERIFF TRAINING FACILITY

CASE NO: 05-206

ZONING: M(P)

REQUEST: ALTERNATE YARD REQUIREMENTS

SECTION 1104 "DISTRICT DIMENSIONAL PROVISIONS-FRONT YARD SETBACK"

ACREAGE: 29.0 AC.

SCALE: 1"=300'