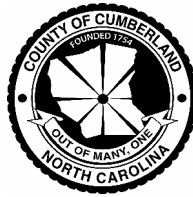


Charles C. Morris
Chair
Town of Linden

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

Thomas J. Lloyd,
Director

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

TENTATIVE AGENDA

JUNE 20, 2006

7:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRALS/WITHDRAWALS
 - A. P06-47: REZONING OF TWO PARCELS TOTALING 7.62+/- ACRES FROM A1 TO A1A, AT 3745 AND 3837 FINAL APPROACH DRIVE, SUBMITTED BY JONATHAN KEITH, OWNED BY O'BREYTON KNOWLES HEIRS.
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. CONSENT ITEMS
 - A. APPROVAL OF THE MINUTES OF JUNE 6, 2006

REZONING/INITIAL ZONING CASES

- B. P06-34: INITIAL ZONING AND REZONING OF 13.46 +/- ACRES FROM R6A TO R15 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTH OF WADE-STEDMAN ROAD, WEST OF I-95, SUBMITTED BY THE TOWN OF WADE, OWNED BY MERRILL MCLAURIN. (WADE)
- C. P06-39: REZONING OF FOUR PARCELS TOTALING 28.46 ACRES FROM A1 TO R40 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 1750 WADE-STEDMAN ROAD, SUBMITTED BY HERMAN LOCKAMY, OWNED BY AUDREY FAULKNER.
- D. P06-41: INITIAL ZONING OF 79.77 ACRES TO R5A AND C3 OR TO A MORE RESTRICTIVE ZONING DISTRICT, WEST OF LILLINGTON HIGHWAY, SOUTH OF PINE KNOLL DRIVE, SUBMITTED BY THE TOWN OF SPRING LAKE, OWNED BY HUFF-CAVINESS LLC. (SPRING LAKE)
- E. P06-42: REZONING OF 2.0 ACRES FROM R10 TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 2420 AND 2434 GEORGE OWEN ROAD, SUBMITTED BY TIM EVANS, OWNED BY WILLIAM C. AND VIDA L. LONG.

- F. P06-43: REZONING OF 2.0 ACRES FROM A1 TO R40A OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 7461 AND 7473 RUFUS JOHNSON ROAD, SUBMITTED BY TOMMY SMITH, OWNED BY CARRIAGE CROSSING, INC.
- G. P06-46: REZONING OF THREE PARCELS TOTALING 3.64 ACRES FROM R6A AND C3 TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE WEST SIDE OF MURCHISON ROAD, AND ON THE NORTH AND SOUTH SIDES OF BERNADINE STREET, SUBMITTED BY JIM MOHLER, OWNED BY 96 INVESTORS, INC.
- H. P06-48: REZONING OF 1.87 ACRES FROM R6 TO C1 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 230 CHAPEL HILL ROAD, SUBMITTED BY AMMIE M. JENKINS, OWNED BY SANDHILLS FAMILY HERITAGE ASSOCIATION. (SPRING LAKE)

VII. PUBLIC HEARING ITEMS

REVISION/AMENDMENT

- A. P06-33: REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE, AMENDING ARTICLE IV. PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403 USE MATRIX, TO ALLOW SINGLE FAMILY DWELLING TO BE PERMITTED ON THE SECOND FLOOR AND ABOVE FOR COMMERCIAL, RETAIL & OFFICE SPACE IN THE C(P) DISTRICT, SUBMITTED BY BRADLEY W. YOUNG.

REZONING CASES

- B. P06-37: REZONING OF THREE PARCELS TOTALING 45.61 ACRES FROM A1 TO R15 OR TO A MORE RESTRICTIVE ZONING DISTRICT, SOUTH OF SAND HILL ROAD, WEST OF TOWER ROAD, SUBMITTED BY CHRISTOPHER ROBERTS, OWNED BY JAMES BUXTON, ANNIE M. FREEMAN AND THELMA BATTLE.
- C. P06-40: REZONING OF 13.19 ACRES FROM R10 TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 6521 RAMSEY STREET, OWNED BY JAMES H. AND EVA S. SINGLETARY.
- D. P06-44: REZONING OF .78+/- ACRES FROM C1 TO C3 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 6769 CLINTON ROAD, OWNED BY HARRY T. PARKER. (STEDMAN)
- E. P06-45: REZONING OF .26 ACRES FROM R10 TO M(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 3034 LEGION ROAD, SUBMITTED BY JIM MOHLER, OWNED BY DOUGLAS L. NEW.

- F. P06-49: REZONING OF TWO PARCELS TOTALING 33.71 ACRES FROM A1 TO M(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, NORTH AND SOUTH OF WADE-STEDMAN ROAD, ON THE WEST SIDE OF I-95, SUBMITTED BY JAMES A. MCLEAN III, OWNED BY LUTHER C. AND LINDA S. BARNES JR.

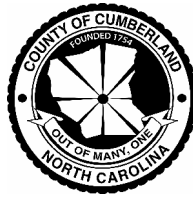
VIII. DISCUSSION

IX. FOR YOUR INFORMATION

A. DIRECTOR'S UPDATE

X. ADJOURNMENT

Charles C. Morris
Chair
Town of Linden
Donovan McLaurin
Vice-Chair
Wade, Falcon & Godwin



Thomas J. Lloyd,
Director

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman

COUNTY of CUMBERLAND

Planning and Inspections Department

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

MINUTES June 06, 2006

Members Present

Mr. Donovan McLaurin, Vice-Chair
Mrs. Sara Piland
Mr. Harvey Cain, Jr.
Mrs. Lori Epler
Mr. Garland Hostetter
Mr. Roy Turner
Mr. Clifton McNeill, Jr.
Commissioner Diane Wheatley

Others Present

Mr. Tom Lloyd, Director
Mr. Grainger Barrett,
County Attorney

- I. INVOCATION AND PLEDGE OF ALLEGIANCE – Mr. Turner delivered the invocation and led those present in the Pledge of Allegiance.
- II. ADJUSTMENTS TO AGENDA – **A motion was made by Mrs. Piland, seconded by Mr. Turner, to accept the agenda. Unanimous.**
- III. ABSTENTIONS BY BOARD MEMBERS – There were no abstentions.
- IV. CONSENT ITEMS
 - A. APPROVAL OF THE MINUTES OF MAY 16, 2006 - **A motion was made by Mrs. Piland, seconded by Mr. Hostetter, to approve the minutes as written. Unanimous approval.**

PLAT & PLAN

- B. 06-096: CONSIDERATION OF TRINITY GARDENS, ZERO LOT LINE SUBDIVISION REVIEW, REQUEST FOR A WAIVER FROM SECTIONS 3.17.C "STREET DESIGN", CUMBERLAND COUNTY SUBDIVISION ORDINANCE, LOCATED ON THE EAST SIDE OF SR 1609 (W. REEVES BRIDGE ROAD), WEST OF US HWY. 401 (RAMSEY STREET)

A motion was made by Mr. McNeill, seconded by Ms. Epler, to remove case 06-096 from Consent to Public Hearing. Unanimous approval.

Mr. Lloyd reviewed case information for plat case 06-096. He stated that the waiver was for the length of the cul-de-sac and that the staff recommends approval based on the following: **1.** Because the size and shape of the subject property is long and narrow, and with the limitations in the Subdivision

Ordinance restricting connection to private streets, strict compliance with the provisions of the Ordinance would cause a special hardship to the property owner and be inequitable; **2.** The public purposes of the Subdivision and Zoning Ordinances would be served to an equal or greater degree with all proposed lots being provided adequate road frontage; and **3.** The property owner is not being afforded any special privileges denied to others since the preferred means of access is by right-of-way rather than “flag strips” which is the alternative commonly used for compliance of the frontage requirements in the Ordinances.

Mr. Lloyd stated that a Class “B” private street is required by the Ordinance with gravel or crusher run. He clarified that the only approval being granted through this case was the lot subdivision and the cul-de-sac length.

Discussion followed on private street standards, number of units allowed per street, flag lots, and fire hydrant placement.

Mr. Morris asked the petitioner, Ms. Bobbitt, if she understood that fire hydrant placement would be required. She stated that she would voluntarily agree to placement of a fire hydrant 500 feet from Ramsey Street.

Mr. Lloyd stated that the conditions could be amended to include requirement of fire hydrant placement. The Board agreed to add the condition.

A motion was made by Mr. McNeill, seconded by Mr. McLaurin, to accept the staff recommendation and grant the waiver from section 3.17C with the added condition of requirement of a fire hydrant 500 feet from Ramsey St. Unanimous.

Mr. McLaurin stated his disagreement with the current ordinance requirements regarding number of lots and units allowed per street. Mr. Lloyd stated that this subject had previously been addressed and that any change would have to be done as a revision.

V. DISCUSSION

Mr. Lloyd presented information on the Sewer Extension Policy.

VI. FOR YOUR INFORMATION

A. DIRECTOR'S UPDATE

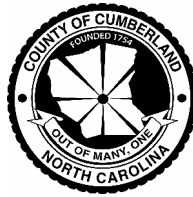
Mr. Lloyd advised the Board that the Nominating Committee had met prior to this evening's meeting.

VII. ADJOURNMENT

Mr. McNeill made a motion, seconded by Mrs. Piland, to adjourn the meeting at 8:50 p.m.

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

Thomas J. Lloyd,
Director

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

June 13, 2006

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 20, 2006 Board Meeting

P06-47: REZONING OF TWO PARCELS TOTALING 7.62+/- ACRES FROM A1 TO A1A, AT 3745 AND 3837 FINAL APPROACH DRIVE, SUBMITTED BY JONATHAN KEITH, OWNED BY O'BREYTON KNOWLES HEIRS.

The Planning & Inspections Staff recommends favorable consideration of the applicant's attached request for withdrawal.

Attachments:

- 1 - Rezoning Sketch Map
- 2 - Site Profile
- 3 - Request for Withdrawal

June 14, 2006

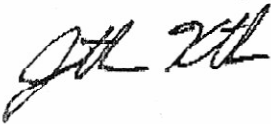
Jonathan Keith
3837 Final Approach Dr.
Fayetteville NC 28312

To whom it may concern,

After numerous conversations with my neighbors and members of the Eastover Air Ranch Association, I have decided that it is in the best interest of all parties to withdraw my request to rezone case number P06-47.

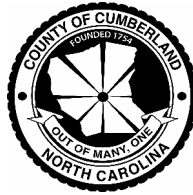
Sincerely,

Jonathan Keith

A handwritten signature in black ink, appearing to read 'JK 2/11', written over the printed name 'Jonathan Keith'.

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

Thomas J. Lloyd,
Director

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

June 13, 2006

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 20, 2006 Board Meeting

P06-34: INITIAL ZONING AND REZONING OF 13.46 +/- ACRES FROM R6A TO R15 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTH OF WADE-STEDMAN ROAD, WEST OF I-95, SUBMITTED BY THE TOWN OF WADE, OWNED BY MERRILL MCLAURIN. (WADE)

The Planning & Inspections Staff recommends approval of the R15 district based on the following:

1. The request is consistent with the Wade Study Area Detailed Land Use Plan; and
2. This request was initiated by the Town of Wade.
3. Town of Wade water and NORCRESS sewer are available to the site.

The R10 zoning district is the only other suitable district.

Attachments:

- 1 - Rezoning Sketch Map
- 2 - Site Profile

SITE PROFILE
P06-34

INITIAL ZONING AND REZONING OF 13.46 +/- ACRES FROM R6A TO R15 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTH OF WADE-STEDMAN ROAD, WEST OF I-95, SUBMITTED BY THE TOWN OF WADE, OWNED BY MERRILL MCLAURIN. (WADE)

Site Information:

Applicant/Owner: TOWN OF WADE / MERRILL MCLAURIN

Area: 13.46 acres

Frontage & Location: 490 feet on Wade-Stedman Road

Depth: 1,080 feet

Jurisdiction: Wade

Current Use: Farmland

Zoning Violation(s): None

Surrounding Zoning: North-A1, R6A, C3, East-A1, HS(P), South-A1, R40A, and West-RR, R6A, C1(P), C3

Surrounding Land Use: Open storage of junk cars, flower garden and single family residential

Wade Study Area Detailed Land Use Plan: Low Density Residential

Water/Sewer Availability: Town of Wade water / NORCRESS

School Capacity/Enrolled: District 7 Elementary 241/247, Mac Williams Middle 1274/1133, Cape Fear High 1400/1507

Subdivisions: A subdivision or group development review will be required prior to development of this property.

Military Impact Area: No

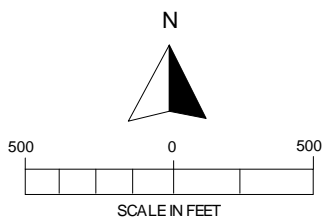
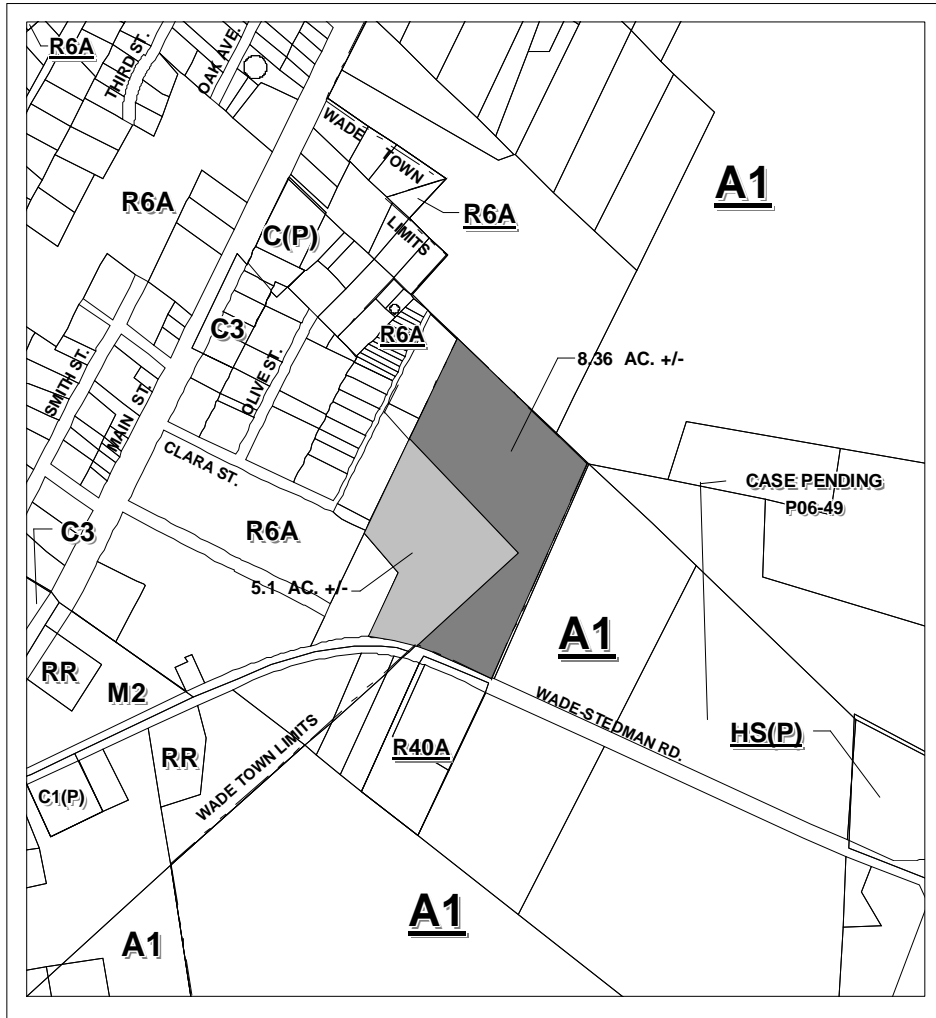
Highway Plan: Wade-Stedman Road is identified as a Major Thoroughfare. The plan calls for widening to a multi-lane facility (Priority #2).

Average Daily Traffic Count (2004): 2,800 on Wade-Stedman Road

Notes:

Density minus 20% for roads: R15 – 31 lots

R10 – 46 lots

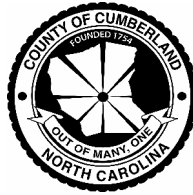


INITIAL ZONING TO R15 (8.36 AC. +/-)
 REQUESTED REZONING R6A TO R15 (5.1 AC +/-)

ACREAGE: 13.46 AC +/-		HEARING NO: P06-34	
ORDINANCE: WADE	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

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

Thomas J. Lloyd,
Director

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

June 13, 2006

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 20, 2006 Board Meeting

P06-39: REZONING OF FOUR PARCELS TOTALING 28.46 ACRES FROM A1 TO R40 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 1750 WADE-STEDMAN ROAD, SUBMITTED BY HERMAN LOCKAMY, OWNED BY AUDREY FAULKNER.

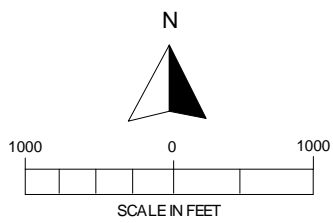
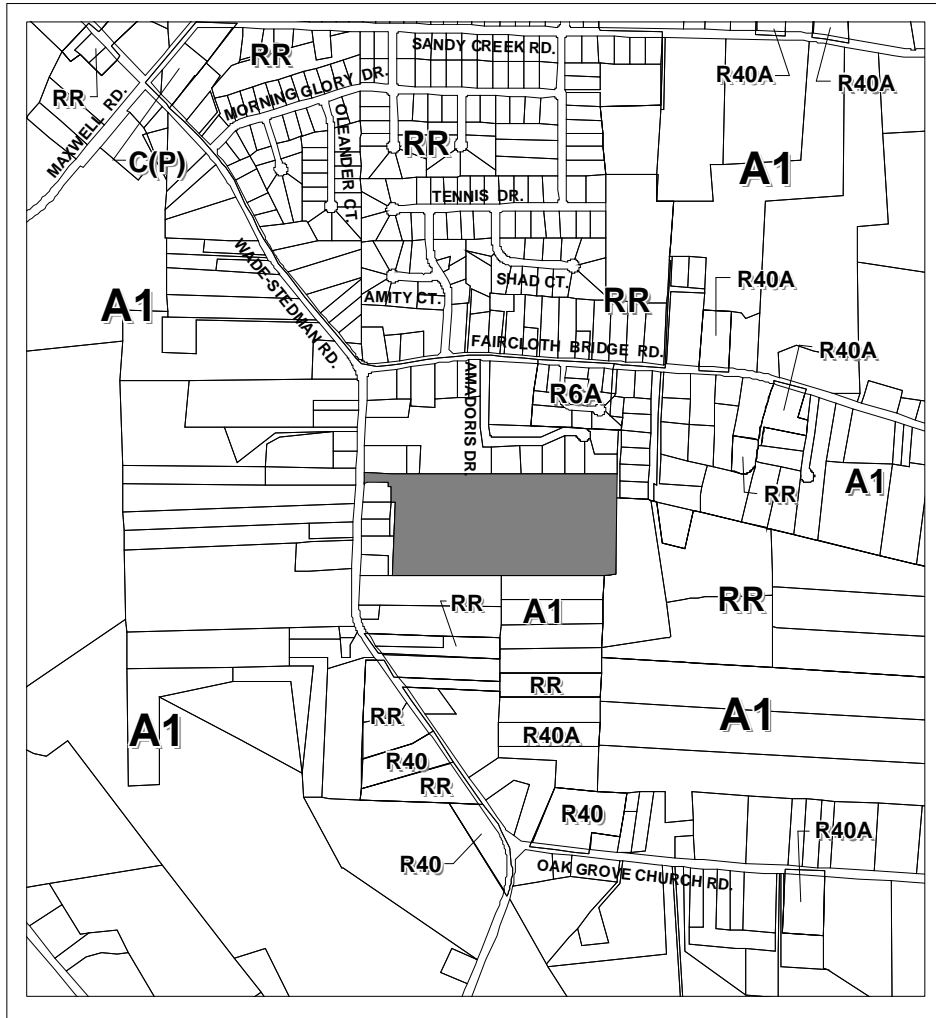
The Planning & Inspections Staff recommends approval of the R40 district based on the following:

1. The request is consistent with the 2010 Land Use Plan; and
2. The request is consistent with the current zoning and lot sizes in the general area.

There are no other suitable districts.

Attachments:

- 1 - Rezoning Sketch Map
- 2 - Site Profile



**REQUESTED REZONING:
A1 TO R40**

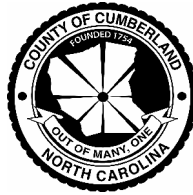
ACREAGE: 28.46 AC.+/-		HEARING NO: P06-39	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0497-25-5282, 7185, 9184
0497-34-5855

AF

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

Thomas J. Lloyd,
Director

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

June 13, 2006

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 20, 2006 Board Meeting

P06-41: INITIAL ZONING OF 79.77 ACRES TO R5A AND C3 OR TO A MORE RESTRICTIVE ZONING DISTRICT, WEST OF LILLINGTON HIGHWAY, SOUTH OF PINE KNOLL DRIVE, SUBMITTED BY THE TOWN OF SPRING LAKE, OWNED BY HUFF-CAVINESS LLC. (SPRING LAKE)

The Planning & Inspections Staff recommends approval of the R5A and C3 districts based on the following:

1. Although the request is not consistent with the Spring Lake Area Detailed Land Use Plan, the subject properties are consistent with the existing development in the area; and
2. This request was initiated by the Town of Spring Lake.
3. The subject properties are located on a Major Thoroughfare; and
4. Spring Lake water and sewer are available to the site.

Other suitable zoning districts are O&I, HS(P), C1 and C(P).

Attachments:

- 1 - Rezoning Sketch Map
- 2 - Site Profile

SITE PROFILE

P06-41

INITIAL ZONING OF 79.77 ACRES TO R5A AND C3 OR TO A MORE RESTRICTIVE ZONING DISTRICT, WEST OF LILLINGTON HIGHWAY, SOUTH OF PINE KNOLL DRIVE, SUBMITTED BY THE TOWN OF SPRING LAKE, OWNED BY HUFF-CAVINESS LLC. (SPRING LAKE)

Site Information:

Applicant/Owner: TOWN OF SPRING LAKE / HUFF-CAVINESS LLC

Area: 79.77 acres

Frontage & Location: 1,100 feet on Lillington Highway

Depth: 1,970 feet (average)

Jurisdiction: Spring Lake

Current Use: Vacant

Zoning Violation(s): None

Surrounding Zoning: North-R5A, M1, Ft. Bragg, County limits, East and South-C3, County limits, and West-County limits and Ft. Bragg

Surrounding Land Use: Apartments, club, water and waste plant, church, nursery, thrift store, paint and body shop, and manufactured home park

Spring Lake Area Detailed Land Use Plan: Open Space, Medium Density Residential and Light Industrial

Urban Services Area: Yes

Water/Sewer Availability: Spring Lake Water and Sewer

School Capacity/Enrolled: Lillian Black Elementary 278/258, Spring Lake Middle 1800/539, Pine Forest High 1750/1742

Subdivisions: A subdivision or group development review shall be required for the residential portion prior to any development; and may be required on the commercial portion, if divided.

Military Impact Area: Yes

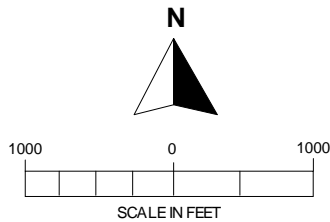
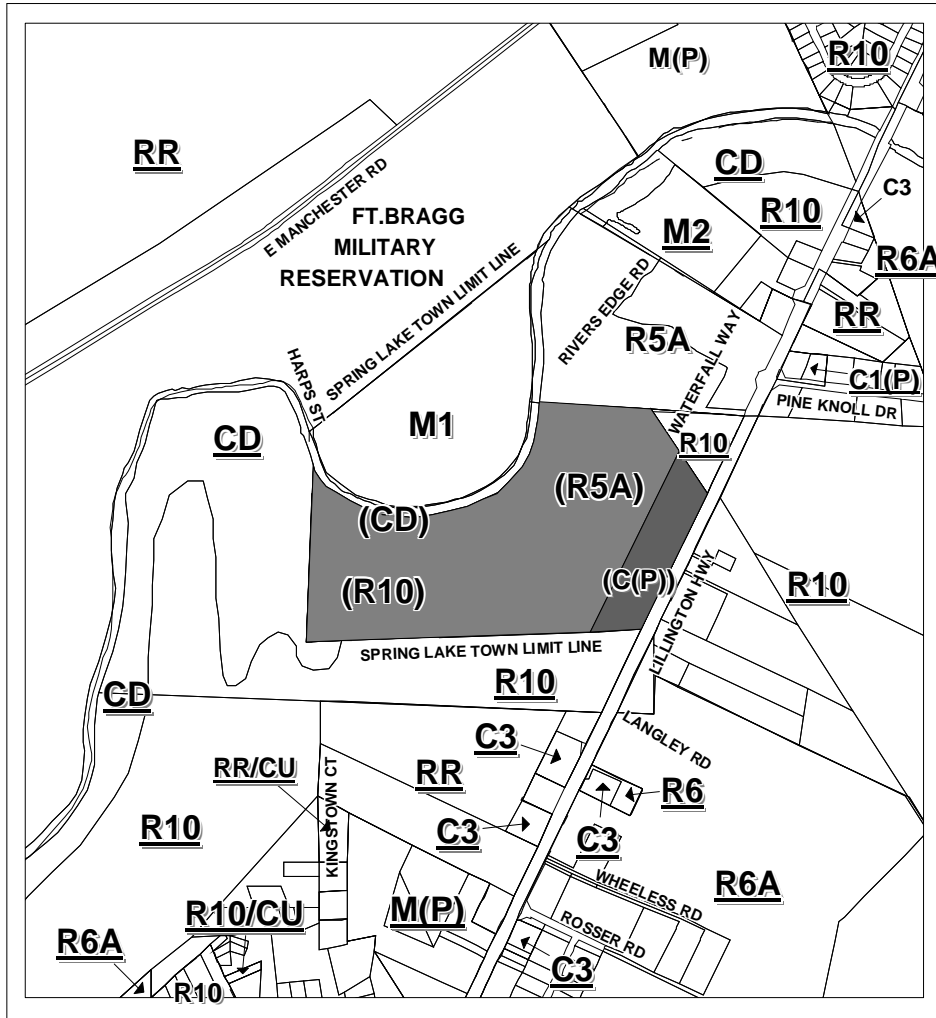
Ft Bragg/Pope AFB: Not located within the Accident Potential Zone or critical noise area.

Highway Plan: No road improvements or new construction is specified for this area.

Average Daily Traffic Count (2004): 17,000 on Lillington Highway

Notes:

Density minus 20% for roads: R5A – 805 units



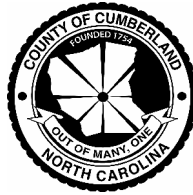
INITIAL ZONING TO:

R5A (69.79 AC.+/-) & **C3** (9.98 AC.+/-)

ACREAGE: 79.77 AC.+/-		HEARING NO: P06-41	
ORDINANCE: SPRING LAKE	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

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

Thomas J. Lloyd,
Director

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

June 13, 2006

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 20, 2006 Board Meeting

P06-42: REZONING OF 2.0 ACRES FROM R10 TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 2420 AND 2434 GEORGE OWEN ROAD, SUBMITTED BY TIM EVANS, OWNED BY WILLIAM C. AND VIDA L. LONG.

The Planning & Inspections Staff recommends approval of the C(P) district based on the following:

1. Although the request is not consistent with the 2010 Land Use Plan, the subject properties are located on the Hope Mills Bypass near a major intersection; and
2. The request is consistent with the current zoning in the area; and
3. Public water and sewer are available to the site; and
4. John Brady Road is an appropriate “stop point” for the rezoning of properties in this area to commercial zoning.

Other suitable zoning districts are R6, R6A, R5, R5A, O&I(P) and C1(P).

Attachments:

- 1 - Rezoning Sketch Map
- 2 - Site Profile

SITE PROFILE

P06-42

REZONING OF 2.0 ACRES FROM R10 TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 2420 AND 2434 GEORGE OWEN ROAD, SUBMITTED BY TIM EVANS, OWNED BY WILLIAM C. AND VIDA L. LONG.

Site Information:

Applicant/Owner: TIM EVANS / WILLIAM C. AND VIDA L. LONG

Area: 2.0 acres

Frontage & Location: 366 feet on George Owen Road

Depth: 275 feet

Jurisdiction: County

Current Use: Vacant Commercial

Initial Zoning: February 6, 1976 (Area 5)

Zoning Violation(s): None

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

Surrounding Land Use: Day care, vehicle repair, manufactured home park, auto repair and single family residential

2010 Land Use Plan: Medium Density Residential

Urban Services Area: Yes

Water/Sewer Availability: Well / Septic – PWC water and sewer available

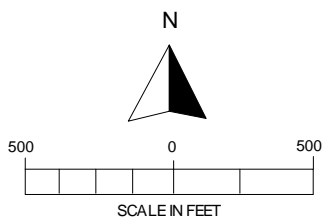
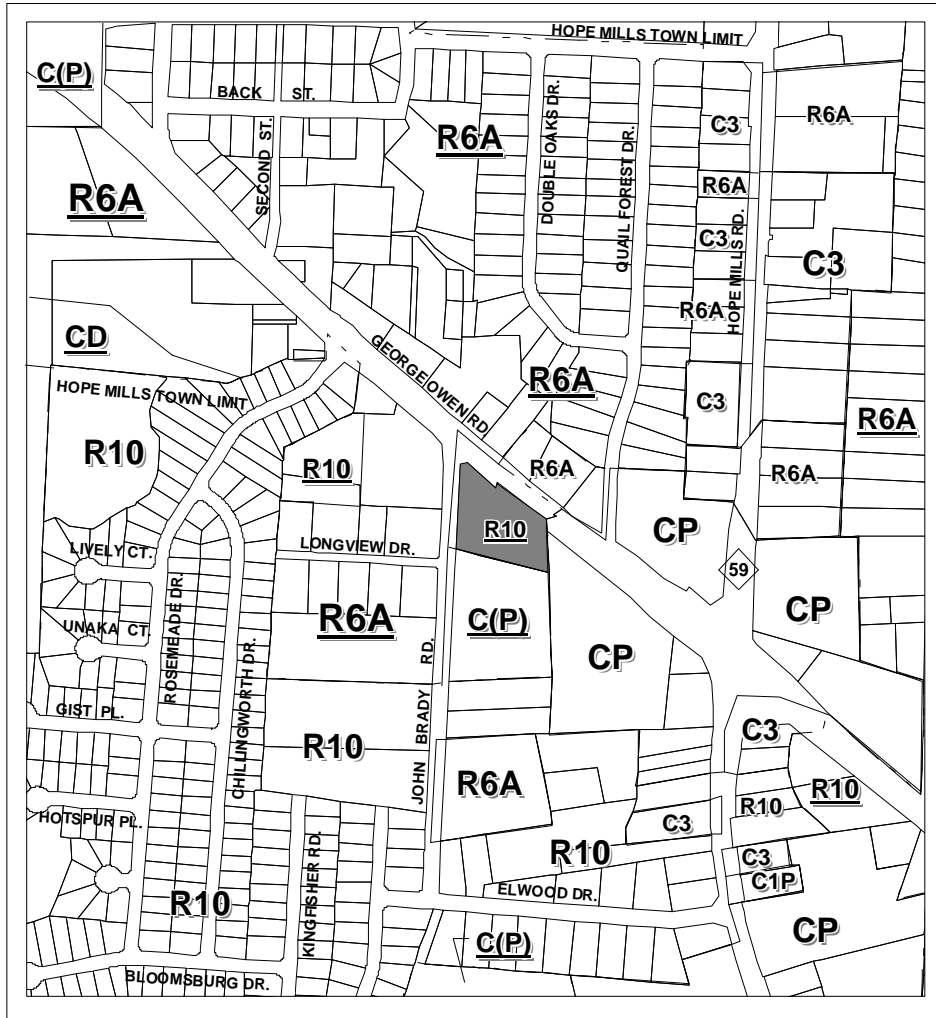
Subdivisions: Site plan review will be required prior to any development. A recombination will be required if both properties are to be developed as one.

Military Impact Area: No

Highway Plan: Hope Mills Bypass is identified as a Major Thoroughfare. This is a multi-lane facility with an adequate 100 foot right-of-way. Road construction is currently in progress and are included in the 2006-2012 MTIP.

Average Daily Traffic Count (2004): 2,500 on George Owen Road

Notes:

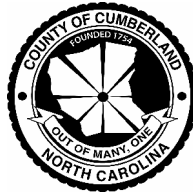


REQUESTED REZONING R10 TO C(P)

ACREAGE: 2.00 AC.+/-		HEARING NO: P06-42	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

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

Thomas J. Lloyd,
Director

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

June 13, 2006

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 20, 2006 Board Meeting

P06-43: REZONING OF 2.0 ACRES FROM A1 TO R40A OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 7461 AND 7473 RUFUS JOHNSON ROAD, SUBMITTED BY TOMMY SMITH, OWNED BY CARRIAGE CROSSING, INC.

The Planning & Inspections Staff recommends approval of the R40A based on the following:

1. The request is consistent with the 2010 Land Use Plan; and
2. The request is reasonable considering the lot sizes in the general area.

Note: The Planning and Inspections Staff's preference would be for rezoning to A1A; however, one of the existing structures on the subject property is not a Class A manufactured home and would become nonconforming.

There are no other suitable districts to be considered for this site.

Attachments:

- 1 - Rezoning Sketch Map
- 2 - Site Profile

SITE PROFILE
P06-43

REZONING OF 2.0 ACRES FROM A1 TO R40A OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 7461 AND 7473 RUFUS JOHNSON ROAD, SUBMITTED BY TOMMY SMITH, OWNED BY CARRIAGE CROSSING, INC.

Site Information:

Applicant/Owner: TOMMY SMITH / CARRIAGE CROSSING, INC.

Area: 2.0 acres

Frontage & Location: 330 feet on Rufus Johnson Road

Depth: 270 feet

Jurisdiction: County

Current Use: Residential

Initial Zoning: June 25, 1980 (Area 13)

Zoning Violation(s): None

Surrounding Zoning: North A1, A1/CU, R40 and South-A1, R40A

Surrounding Land Use: Single family residential

2010 Land Use Plan: Farmland

Urban Services Area: No

Water/Sewer Availability: Well / Septic

School Capacity/Enrolled: Gray's Creek Elementary 764/731, Gray's Creek Middle 495/561, Gray's Creek High 1270/1020

Subdivisions: Case #06-098 is pending approval of this case.

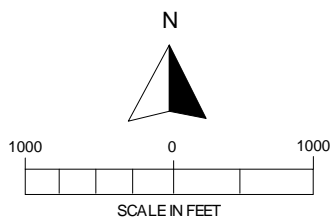
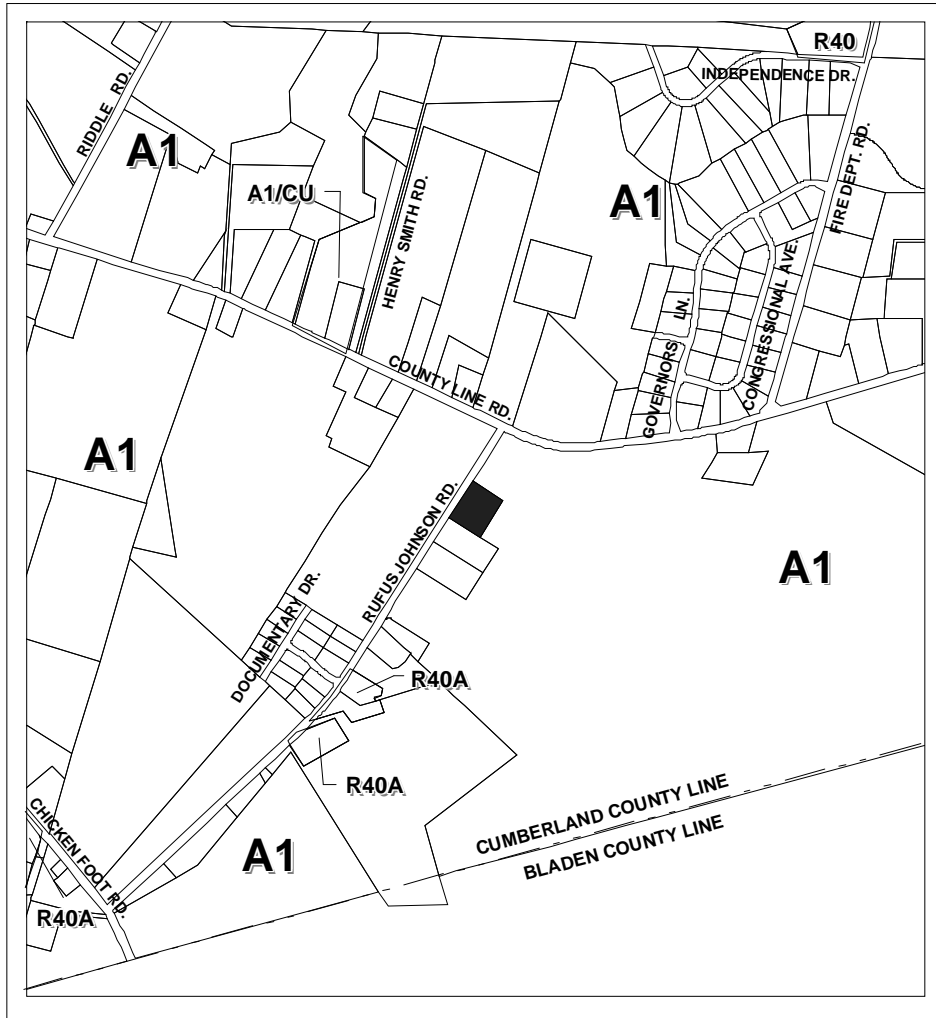
Military Impact Area: No

Highway Plan: No road improvements or new construction is specified for this area.

Average Daily Traffic Count (2004): 550 on Rufus Johnson Road

Notes:

Density: A1 – 1 lot
 R40A – 2 lots



REQUESTED REZONING A1 TO R40A

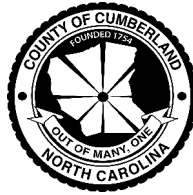
ACREAGE: 2.00 AC.+/-		HEARING NO: P06-43	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0339-48-2792

AF

Charles C. Morris
Chair
Town of Linden

Donovan McLaurin
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Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman



COUNTY of CUMBERLAND

Planning and Inspections Department

Thomas J. Lloyd,
Director

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

June 13, 2006

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 20, 2006 Board Meeting

P06-46: REZONING OF THREE PARCELS TOTALING 3.64 ACRES FROM R6A AND C3 TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE WEST SIDE OF MURCHISON ROAD, AND ON THE NORTH AND SOUTH SIDES OF BERNADINE STREET, SUBMITTED BY JIM MOHLER, OWNED BY 96 INVESTORS, INC.

The Planning & Inspections Staff recommends approval of the C(P) district based on the following:

1. The request is consistent with the 2010 Land Use Plan, calling for an Activity Node at this location; and
2. The subject property is located on a major thoroughfare; and
3. The C(P) district is in keeping with the current zoning within the area.

Other suitable zoning districts are O&I(P) and C1(P).

Attachments:

- 1 - Rezoning Sketch Map
- 2 - Site Profile

SITE PROFILE
P06-46

REZONING OF THREE PARCELS TOTALING 3.64 ACRES FROM R6A AND C3 TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE WEST SIDE OF MURCHISON ROAD, AND ON THE NORTH AND SOUTH SIDES OF BERNADINE STREET, SUBMITTED BY JIM MOHLER, OWNED BY 96 INVESTORS, INC.

Site Information:

Applicant/Owner: JIM MOHLER / 96 INVESTORS, INC.

Area: 3.64 acres

Frontage & Location: 440 feet on Murchison Road

Depth: 410 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Commercial

Initial Zoning: September 17, 1973 (Area 2A)

Zoning Violation(s): None

Surrounding Zoning: North-C3, M(P), Ft. Bragg, East-C(P), M1(P) and city limit, South-R6, R6A, R5, C3, C3/CU, and West-R6A, C3, Ft. Bragg

Surrounding Land Use: RSC, manufactured home park (2), triplex, rental shop, auto sales, electric company, construction company, and single family residential

2010 Land Use Plan: Activity Node

Watershed Area: Yes

Proposed Interchange or Activity Node: Yes

Urban Services Area: Yes

Water/Sewer Availability: PWC / Septic

Subdivisions: A site plan review will be required. Recombination will be required if the parcels are to be developed as one.

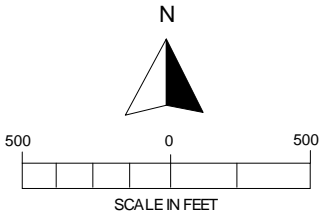
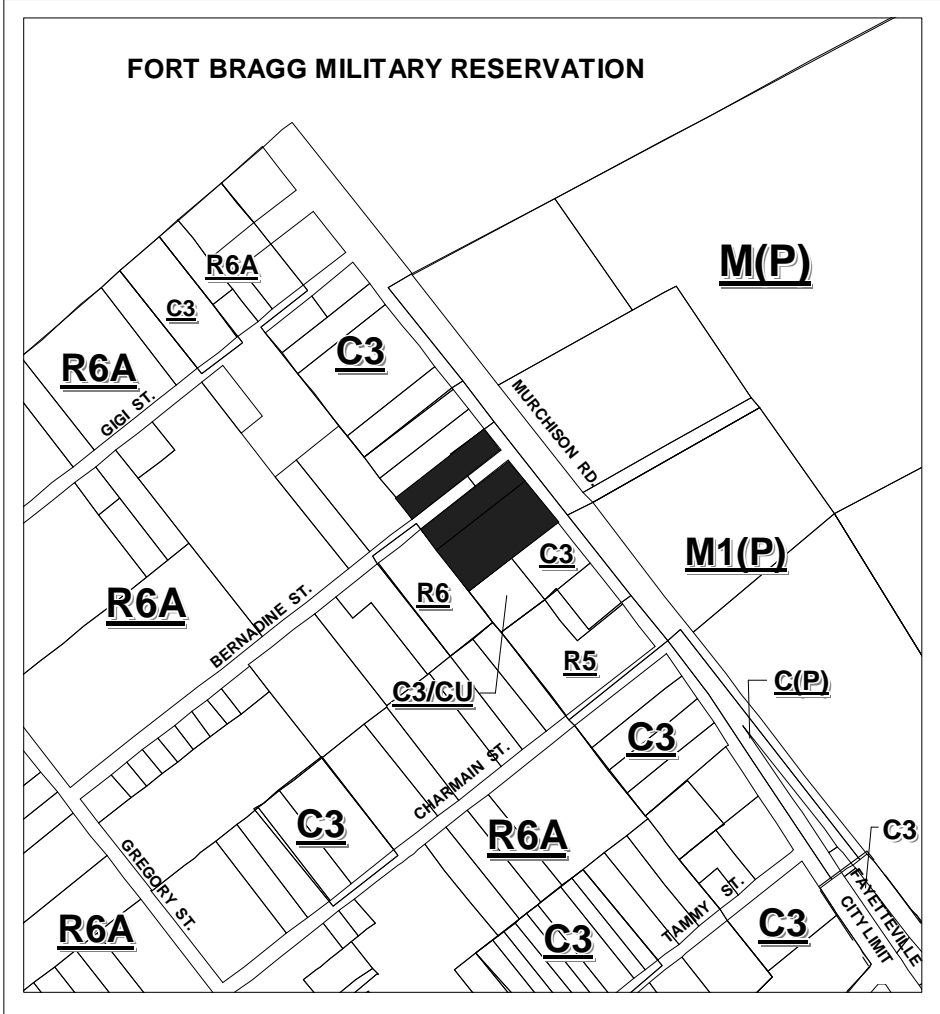
Military Impact Area: Yes

Ft Bragg/Pope AFB: Not within the Accident Potential Zone or critical noise area.

Highway Plan: Fayetteville Outer Loop is identified as a Major Thoroughfare. This proposal calls for a multi-lane facility with a 250 foot right-of-way. Road improvements are included in the 2006-2012 MTIP. Planning/Design-In Progress, Mitigation-FFY 07, ROW Acquisition-06, 07, Post Years, Construction-08, 12, Post years.

Average Daily Traffic Count (2004): 16,000 on Murchison Road

Notes:



**REQUESTED REZONING
C3 & R6A TO C(P)**

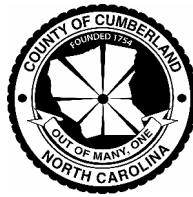
ACREAGE: 3.64 AC.+/-		HEARING NO: P06-46	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0419-98-1496, 2385, 3274

AF

Charles C. Morris
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Garland C. Hostetter,
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Harvey Cain, Jr.,
Town of Stedman



COUNTY of CUMBERLAND

Planning and Inspections Department

Thomas J. Lloyd,
Director

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

June 13, 2006

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 20, 2006 Board Meeting

P06-48: REZONING OF 1.87 ACRES FROM R6 TO C1 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 230 CHAPEL HILL ROAD, SUBMITTED BY AMMIE M. JENKINS, OWNED BY SANDHILLS FAMILY HERITAGE ASSOCIATION. (SPRING LAKE)

The Planning & Inspections Staff recommends approval of the C1 district based on the following:

1. Although the request is not consistent with the Spring Lake Area Detailed Land Use Plan, the request is consistent with the character of the neighborhood; and
2. Approval of the request would allow for the use of the vacant non-residential structure on the site.
3. Town of Spring Lake water and sewer are available to the site.

The O&I zoning district is the only other suitable district.

Attachments:

- 1 - Rezoning Sketch Map
- 2 - Site Profile

SITE PROFILE

P06-48

REZONING OF 1.87 ACRES FROM R6 TO C1 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 230 CHAPEL HILL ROAD, SUBMITTED BY AMMIE M. JENKINS, OWNED BY SANDHILLS FAMILY HERITAGE ASSOCIATION. (SPRING LAKE)

Site Information:

Applicant/Owner: AMMIE M. JENKINS / SANDHILLS FAMILY HERITAGE ASSOCIATION

Area: 1.87 acres

Frontage & Location: 466 feet on Chapel Hill Road

Depth: 185 feet

Jurisdiction: Spring Lake

Current Use: Vacant

Surrounding Zoning: North-R6, R6A, R5A, county line, Ft. Bragg, East-R10, R6, R6A,, South-C(P), C3, county line, and West-R10, R6A, C(P) C3

Surrounding Land Use: Cemetery, wastewater plant, church, bank, auto parts store, fast food restaurant, realty office, apartments, manufactured home park, and single family residential

Spring Lake Area Detailed Land Use Plan: Medium Density Residential and Open Space

Urban Services Area: Yes

Water/Sewer Availability: Town of Spring Lake water and sewer

Subdivisions: Lot created 8-22-84

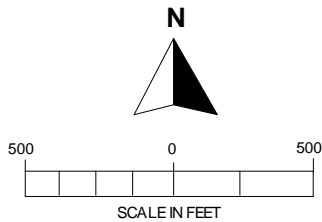
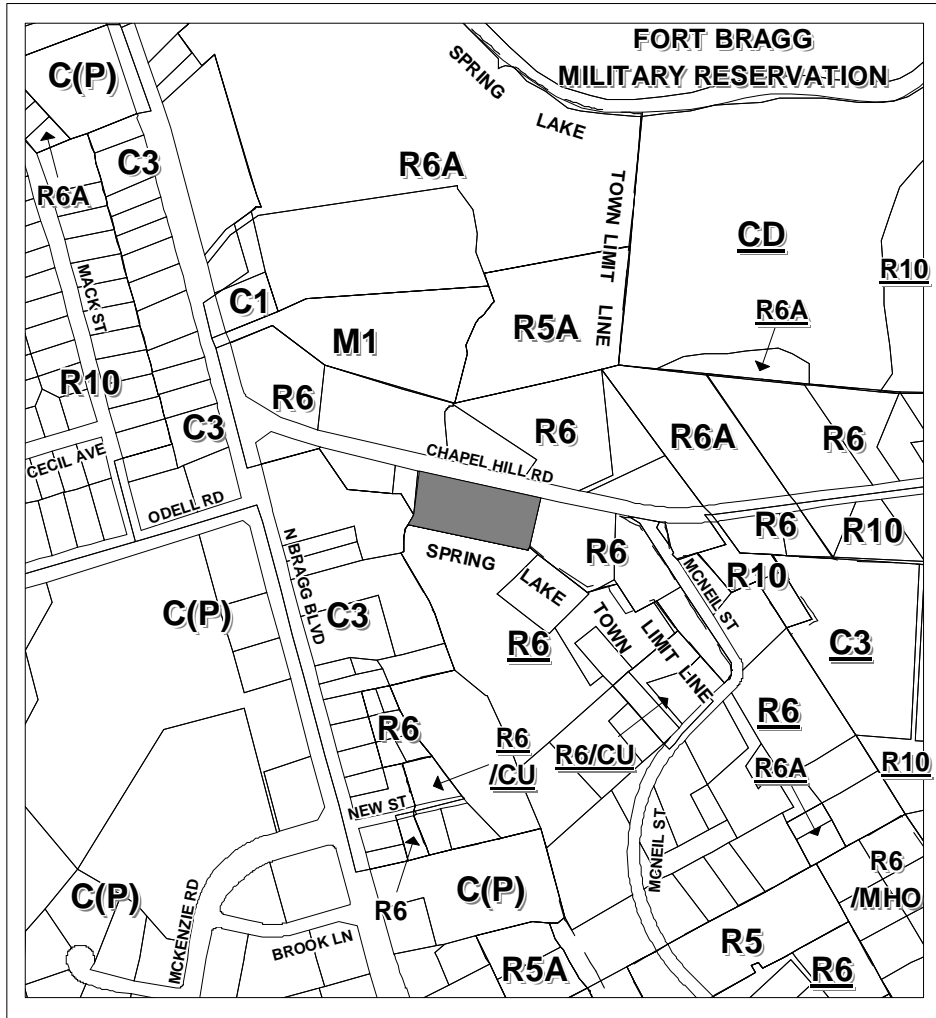
Ft Bragg/Pope AFB: This parcel is not located in the Accident Potential Zone or the critical noise area.

Military Impact Area: Yes

Highway Plan: Chapel Hill Road is identified as a Major Thoroughfare. The plan calls for widening to a multi-lane facility (Priority #1).

Average Daily Traffic Count (2004): 3,400 on Chapel Hill Road

Notes:

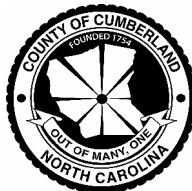


**REQUESTED REZONING:
R6 TO C1**

ACREAGE: 1.87 AC.+/-		HEARING NO: P06-48	
ORDINANCE: SPRING LAKE	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

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



COUNTY of CUMBERLAND

Planning and Inspections Department

Thomas J. Lloyd,
Director

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

June 13, 2006

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 20, 2006 Board Meeting

P06-33: REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE, BY AMENDING ARTICLE IV. PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403 USE MATRIX, TO ALLOW SINGLE FAMILY DWELLING TO BE PERMITTED ON THE SECOND FLOOR AND ABOVE FOR COMMERCIAL, RETAIL AND OFFICE SPACE IN THE C(P) DISTRICT, SUBMITTED BY BRADLEY W. YOUNG.

This request for consideration of a text amendment was deferred from the May 16, 2006 at the applicant's request. The Planning & Inspections Staff recommended denial of the proposed amendment as submitted. The Staff did agree that with some minimum standards in place in the Ordinance, allowing residential dwellings on the second floor or above could be a viable use of properties in the commercial districts.

The Planning & Inspections Staff recommends approval of the request if the Board favorably considers recommending adoption of the attached standards (text amendment) affecting Article II (Definitions), Article IV (Use Matrix), and Article IX (Individual Uses). This recommendation has been forwarded to the applicant.

Attachments:

1. Staff Recommended Text Amendment
2. Applicant's Recommended Text Amendment

P06-33 – Planning & Inspections Staff Recommendation

AMEND Article II, Interpretations, Calculations, and Definitions, Section 203, Definitions of Specific Terms and Words, as indicated:

Mixed Use: A single building containing more than one type of land use where the ground floor use is a permitted non-residential use in the zoning district and all second floor and above uses are residential or a single development of more than one building and use with the different types of land uses in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas. ~~Buildings erected for two or more different uses, such as residential, office, retail, government, or entertainment and are functionally designed to share vehicular and pedestrian access and parking areas.~~ (Article VI & Article IX)

AMEND Section 403, Use Matrix, “Dwelling, Single Family & Multiple Family” as indicated:

Add “P” to C1(P) and C(P) column

Add footnote ² to C1(P) and C(P) column.

Amend footnote ² to read: Second floor and above only, see Section 914.1

AMEND Article IX, Individual Uses, by CREATING:

SECTION 914.1 MIXED USE BUILDING

- A. Mixed use buildings are allowed uses in the O&I(P) Planned Office & Institutional, C1(P) Planned Local Business, and C(P) Planned Commercial districts with the ground floor non-residential use determining the method of approval, as specified in Section 403, required for the entire structure (i.e., site plan review, Special Use or Conditional Use District and Permit);
- B. Residential uses are restricted to the second floor and above with the ground floor use being an allowed nonresidential use in the specific zoning district of the property;
- C. All “for sale” residential units are subject to the provisions of Section 3.23, County Subdivision Ordinance;
- D. The development must be served by public or community water and sewer;
- E. The subject property must have direct vehicular access to a paved public right-of-way;
- F. Off-street parking shall be provided in accordance with Article XII for the non-residential use, and one and one-half spaces for each residential unit. Shared parking shall be encouraged and permitted when it can be substantiated that the hours of operation of the non-residential use are restricted to daylight hours and will not adversely affect the residential parking needs;

- G. The minimum lot area per residential unit shall be 1,000 square feet not including the lot area utilized by the non-residential use. The site plan must provide the calculations indicating compliance with this provision;
- H. Sidewalks are required in accordance with the standards of the County Subdivision Ordinance;
- H. A fee in lieu of dedication or on-site parks, recreation, and open space is mandatory. This fee is to be calculated in the same manner as established in Section 3.13.1, County Subdivision Ordinance.

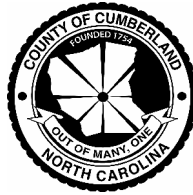
P06-33

REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE, BY AMENDING ARTICLE IV. PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403 USE MATRIX, TO ALLOW SINGLE FAMILY DWELLING TO BE PERMITTED ON THE SECOND FLOOR AND ABOVE FOR COMMERCIAL, RETAIL AND OFFICE SPACE IN THE C(P) DISTRICT, SUBMITTED BY BRADLEY W. YOUNG.

AMEND Article IV, Permitted, Conditional, and Special Uses, Section 403, Use Matrix, by INSERTING “P” in the C(P) column to allow Single Family Dwelling to be permitted on the second floor and above for commercial, retail, and office space.

Charles C. Morris
Chair
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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

Thomas J. Lloyd,
Director

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

June 13, 2006

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 20, 2006 Board Meeting

P06-37: REZONING OF THREE PARCELS TOTALING 45.61 ACRES FROM A1 TO R15 OR TO A MORE RESTRICTIVE ZONING DISTRICT, SOUTH OF SAND HILL ROAD, WEST OF TOWER ROAD, SUBMITTED BY CHRISTOPHER ROBERTS, OWNED BY JAMES BUXTON, ANNIE M. FREEMAN, AND THELMA BATTLE.

The Planning & Inspections Staff recommended denial of the R15 and approval of R20 zoning district even though the recommendation is not consistent with the 2010 Land Use Plan at the May 16, 2006 meeting and the recommendation has not changed. This recommendation is based on the following:

1. The R20 district is consistent with the current land use and development in the area;
and
2. The R20 district is consistent with previous rezoning classifications in the area.

The other suitable zoning districts to be considered for this site are R40, R40A, R30, R30A, R20, and RR

Attachments:

- 1 - Rezoning Sketch Map
- 2 - Site Profile

SITE PROFILE
P06-37

REZONING OF THREE PARCELS TOTALING 45.61 ACRES FROM A1 TO R15 OR TO A MORE RESTRICTIVE ZONING DISTRICT, SOUTH OF SAND HILL ROAD, WEST OF TOWER ROAD, SUBMITTED BY CHRISTOPHER ROBERTS, OWNED BY JAMES BUXTON, ANNIE M. FREEMAN, AND THELMA BATTLE.

Site Information:

Applicant/Owner: CHRISTOPHER G. ROBERTS / JAMES BUXTON, ANNIE M. FREEMAN, AND THELMA BATTLE

Area: 46.94 acres

Frontage & Location: 670 feet on Sand Hill Road

Depth: 2,210 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Residential and Vacant

Initial Zoning: June 25, 1980 (Area 13)

Zoning Violation(s): None

Surrounding Zoning: North-A1, R40, R40A, RR, R20/DD/CUD, R6A, M(P), East-A1, A1/CU, RR, R20, R6A, South-A1, RR, R15, C(P), West-A1, R40, RR, R20, R15, R10, C1(P)

Surrounding Land Use: Baseball field, welding shop, sub station, and residential

2010 Land Use Plan: Low Density Residential

Urban Services Area: Yes

Water/Sewer Availability: PWC / Septic Tank – (Not enough capacity in mains at South Forty to provide fire protection.) The developer will be required to extend a 24” line from Walmart Distribution with possible cost-share by PWC. No sewer is available.

School Capacity/Enrolled: Gray’s Creek Elementary 764/731, Gray’s Creek Middle 495/561, Gray’s Creek High 1270/1020

Subdivisions: The portion of the one property and the land-locked property will need to be recombined with the property with road frontage prior to development. A subdivision or group development review will be required prior to any development of these properties.

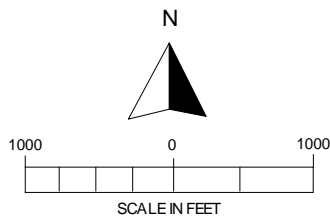
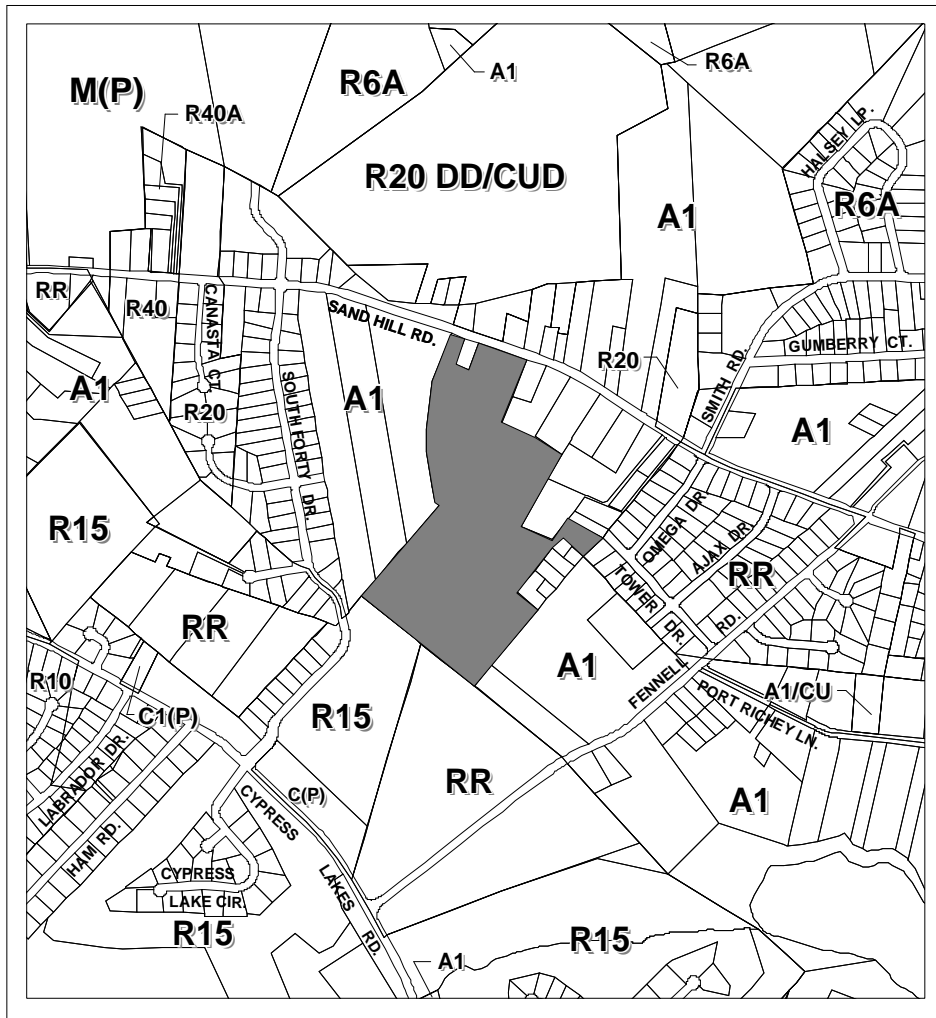
Military Impact Area: No

Highway Plan: Sand Hill Road is identified as a Major Thoroughfare. The Plan calls for a center turning lane to this road (Priority 2).

Average Daily Traffic Count (2004): 5,400 on Sand Hill Road

Notes:

Density minus 20% for roads:	A1 – 18 lots
	R40 – 39 lots
	R30 – 52 lots
	R20 – 79 lots
	R15 – 105 lots



REQUESTED REZONING A1 TO R15

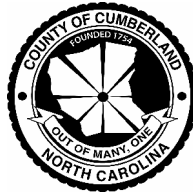
ACREAGE: 45.61 AC.+/-		HEARING NO: P06-37	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0433-71-2264,70-2060
PORT. OF PIN: 0433-70-6954

AF

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

Thomas J. Lloyd,
Director

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

June 13, 2006

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 20, 2006 Board Meeting

P06-40: REZONING OF 13.19 ACRES FROM R10 TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 6521 RAMSEY STREET, OWNED BY JAMES H. AND EVA S. SINGLETARY.

The Planning & Inspections Staff recommends denial of the C(P) district based on the following:

1. The request is not consistent with the North Fayetteville Study Area Land Use Plan which calls for low density residential and open space at this location; and
2. There is sufficient vacant commercial property in the area; and
3. The subject property wraps around existing residential properties; and
4. McCloskey Road will likely be the main entrance to the future state park property currently owned by the Nature Conservancy; and
5. The depth of the rezoning request exceeds what would normally be considered for commercial zoning and encroaches into a residential area.

There are no other suitable districts for this area.

Attachments:

- 1 - Rezoning Sketch Map
- 2 - Site Profile

SITE PROFILE

P06-40

REZONING OF 13.19 ACRES FROM R10 TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 6521 RAMSEY STREET, OWNED BY JAMES H. AND EVA S. SINGLETARY.

Site Information:

Applicant/Owner: JAMES H. AND EVA S. SINGLETARY

Area: 13.19 acres

Frontage & Location: 260 feet on Ramsey Street

Depth: 1,215 feet (average)

Jurisdiction: County

Current Use: Residential

Initial Zoning: August 21, 1972 (Area 1)

Nonconformities: Yes – If rezoned the structures will be nonconforming due to dimensional requirements.

Surrounding Zoning: North-R10, PND, C(P), East-R10, C(P), M(P), South and West-R10, PND, city limits

Surrounding Land Use: Steelworkers Association, open storage, electric company, daycare, barber shop, school, and single family residential

North Fayetteville Study Area Land Use Plan: Low Density Residential and Open Space

Watershed Area: Yes

Urban Services Area: Yes

Water/Sewer Availability: PWC / Septic – PWC sewer available

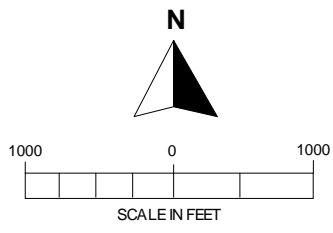
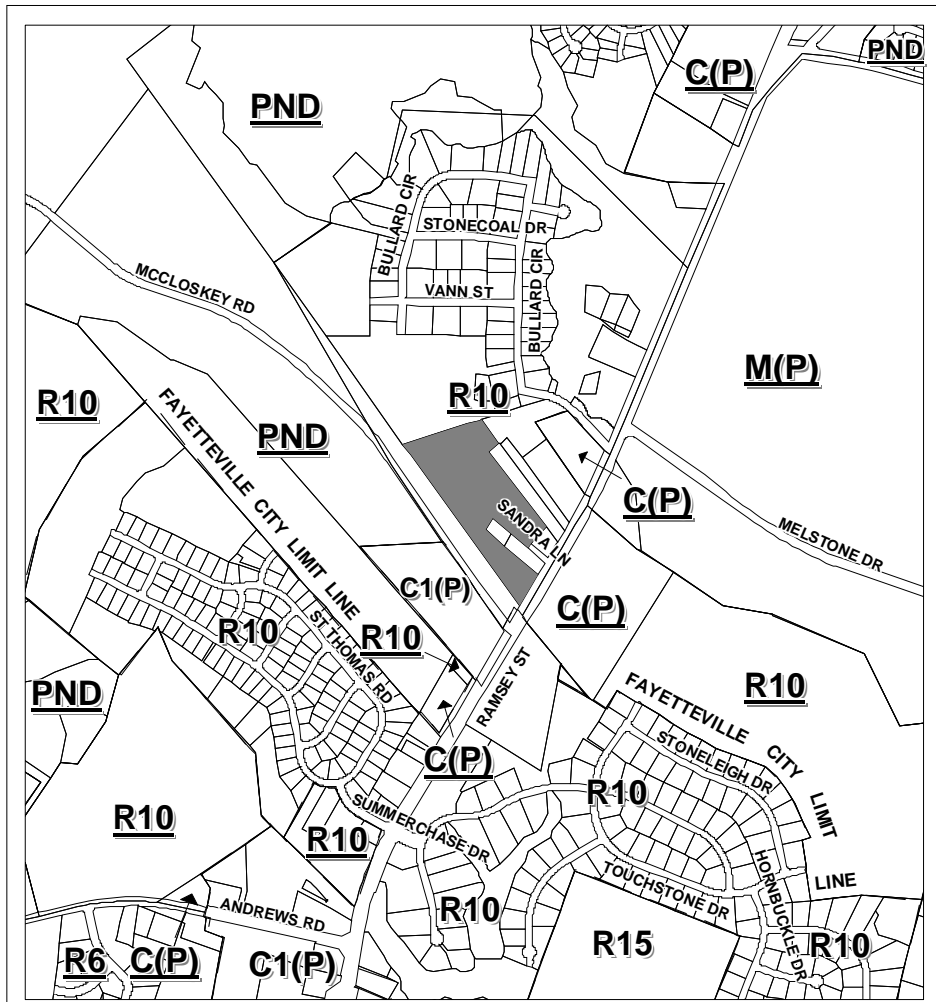
Subdivisions: A subdivision or site plan review shall be required prior to any development/

Military Impact Area: Yes

Highway Plan: Ramsey Street is identified as a Major Thoroughfare. The plan calls for widening to a multi-lane facility (Priority #1).

Average Daily Traffic Count (2004): 23,000 on Ramsey Street

Notes:



**REQUESTED REZONING:
R10 TO C(P)**

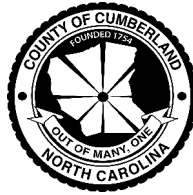
ACREAGE: 13.19 AC.+/-		HEARING NO: P06-40	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0541-05-0506

SP

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

Thomas J. Lloyd,
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Roy Turner,
Lori Epler,
Sara E. Piland,
Cumberland County

June 13, 2006

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 20, 2006 Board Meeting

P06-44: REZONING OF .78+/- ACRES FROM C1 TO C3 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 6769 CLINTON ROAD, OWNED BY HARRY T. PARKER. (STEDMAN)

The Planning & Inspections Staff recommends denial of the C3 district request based on the following:

1. The request is not consistent with the Stedman Area Detailed Land Use Plan; and
2. The existing zoning is the more appropriate zoning district for this tract due to the residential nature of the area.

There are no other suitable districts to be considered for this site.

Attachments:

- 1 - Rezoning Sketch Map
- 2 - Site Profile

SITE PROFILE

P06-44

REZONING OF .78+/- ACRES FROM C1 TO C3 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 6769 CLINTON ROAD, OWNED BY HARRY T. PARKER. (STEDMAN)

Site Information:

Applicant/Owner: HARRY T. PARKER

Area: .78 acres

Frontage & Location: 114 feet on Clinton Road

Depth: 297 feet

Jurisdiction: Stedman

Adjacent Property: No

Current Use: Commercial

Zoning Violation(s): None

Surrounding Zoning: North-County limits, East-County limits, South-R10, C3 and West-R10, C3 and county limits

Surrounding Land Use: No name commercial, hair care, apartments, and single family residential

Stedman Area Detailed Land Use Plan: Low Density Residential

Urban Services Area: No

Water/Sewer Availability: Town of Stedman water and sewer

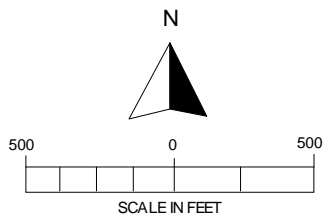
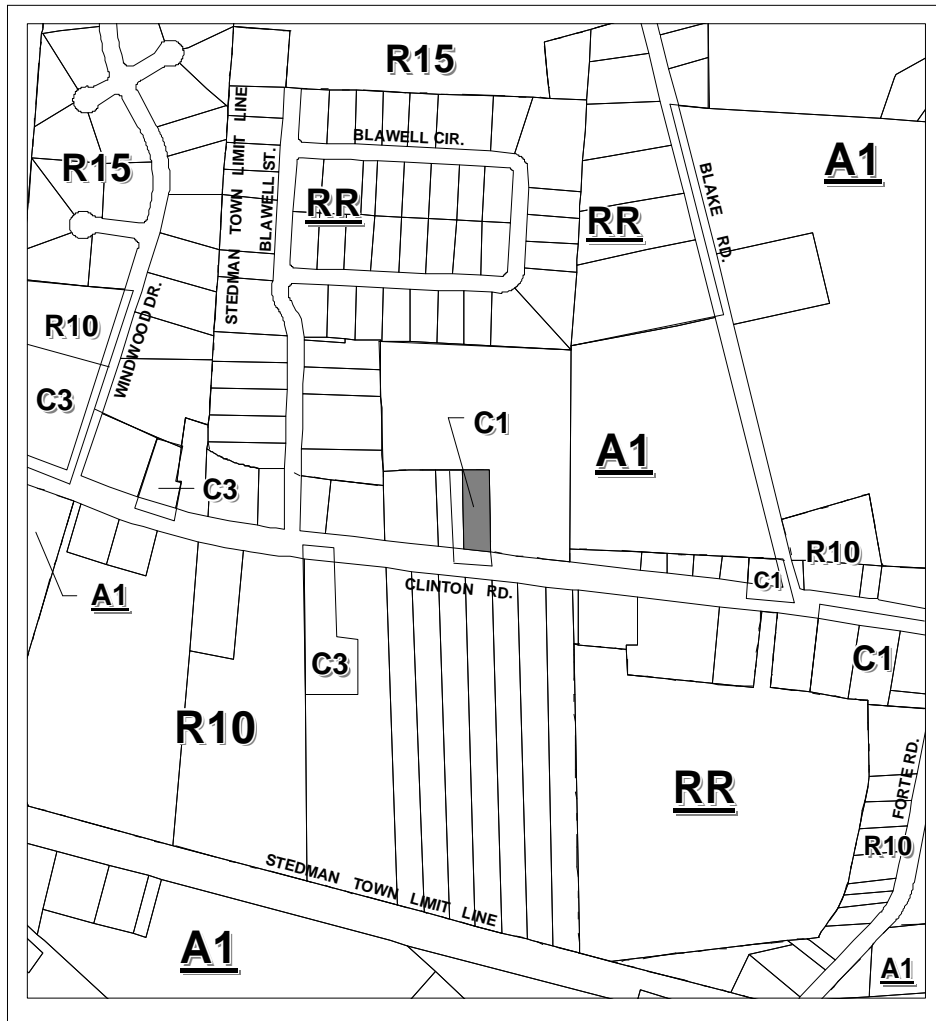
Subdivisions: A group development review may be required.

Military Impact Area: No

Highway Plan: NC Highway 24 is identified as a Major Thoroughfare. The plan calls for widening to a multi-lane facility (Priority 1).

Average Daily Traffic Count (2004): 13,000 on Clinton Road

Notes:



**REQUESTED REZONING:
C1 TO C3**

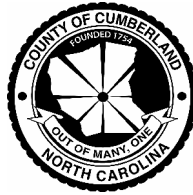
ACREAGE: 0.78 AC.+/-	HEARING NO: P06-44	
ORDINANCE: STEDMAN	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0486-61-5578

AF

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

Thomas J. Lloyd,
Director

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

June 13, 2006

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 20, 2006 Board Meeting

P06-45: REZONING OF .26 ACRES FROM R10 TO M(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 3034 LEGION ROAD, SUBMITTED BY JIM MOHLER, OWNED BY DOUGLAS L. NEW.

The Planning & Inspections Staff recommends denial of M(P) and approval of the C(P) district based on the following:

1. The request is not consistent with the 2010 Land Use Plan, however the area meets the purpose and intent of the C(P) district; and
2. The C(P) district is in character with the existing zoning in the area.

The O&I(P) and C1(P) zoning districts are the only other suitable districts.

Attachments:

- 1 - Rezoning Sketch Map
- 2 - Site Profile

SITE PROFILE

P06-45

REZONING OF .26 ACRES FROM R10 TO M(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 3034 LEGION ROAD, SUBMITTED BY JIM MOHLER, OWNED BY DOUGLAS L. NEW.

Site Information:

Applicant/Owner: JIM MOHLER / DOUGLAS L. NEW

Area: .26 acres

Frontage & Location: 75 feet on Legion Road

Depth: 150 feet

Jurisdiction: County

Current Use: Residential

Initial Zoning: November 17, 1975 (Area 4)

Nonconformities: Yes – If rezoned, the structure will nonconforming due to dimensional requirements.

Surrounding Zoning: North-R10, R6, R5A, C(P), M(P), M2, East-R5, C(P), M(P), city limit, South-R10, R10/CU, C1(P), C(P), M(P), and West-R10, R6A, C(P), C3, M(P), M(P)/CU

Surrounding Land Use: School, sewing business, pharmacy, fast food restaurant, strip mall, video store, shopping center, and single family residential

2010 Land Use Plan: Low Density Residential

Urban Services Area: Yes

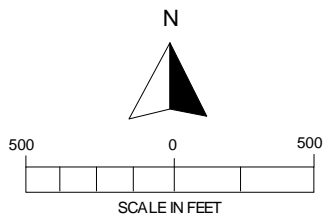
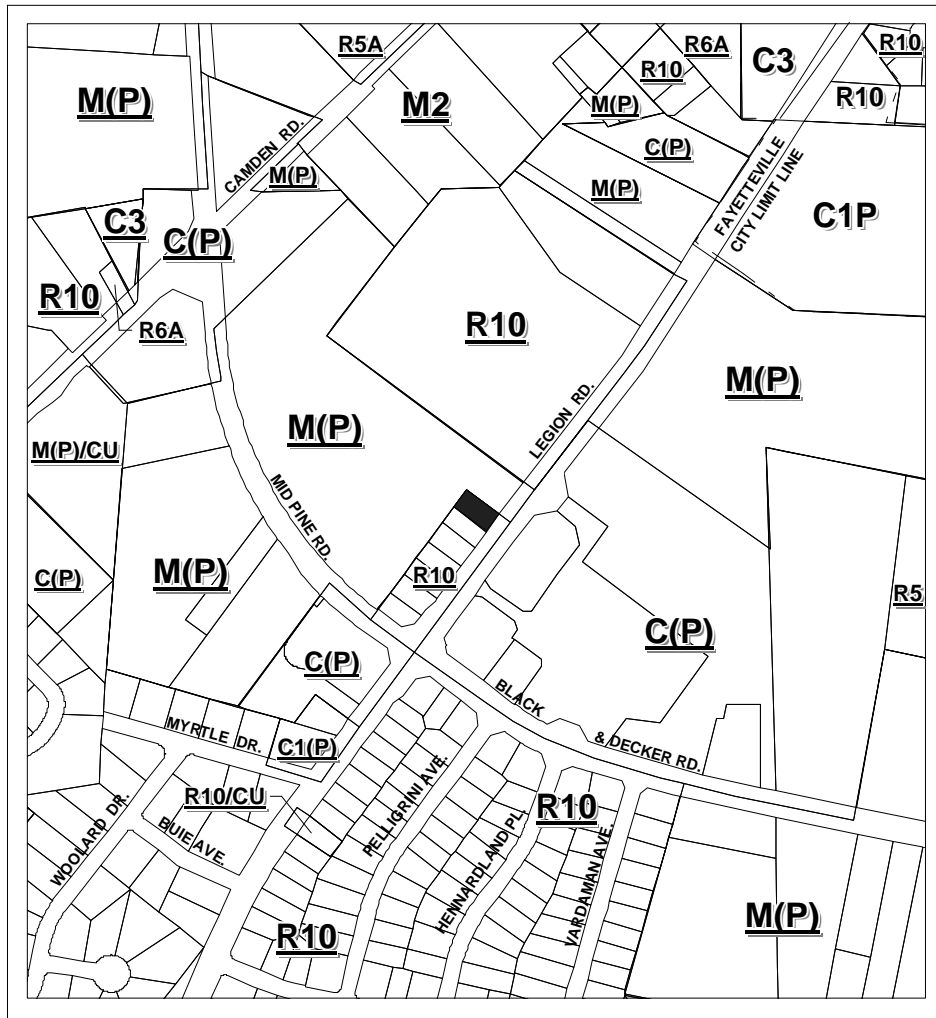
Water/Sewer Availability: PWC / Septic – PWC Sewer exists at Mid Pine and Black & Decker Roads

Subdivisions: Lot created 8-22-84, PB 29 PG 8

Highway Plan: Legion Road is identified as a Major Thoroughfare. The plan calls for a multi-lane facility with a 100 foot right-of-way. Road improvements are included in the 2006-2012 MTIP. Planning/Design-In Progress, Mitigation-FFY 07, ROW Acquisition-FFY 08, 11, Construction-09, Post Year

Average Daily Traffic Count (2004): 12,000 on Legion Road

Notes:



REQUESTED REZONING R10 TO M(P)

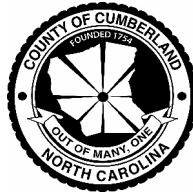
ACREAGE: 0.26 AC.+/-		HEARING NO: P06-45	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0425-56-3820

AF

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June 13, 2006

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 20, 2006 Board Meeting

P06-49: REZONING OF TWO PARCELS TOTALING 33.71 ACRES FROM A1 TO M(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, NORTH AND SOUTH OF WADE-STEDMAN ROAD, ON THE WEST SIDE OF I-95, SUBMITTED BY JAMES A. MCLEAN III, OWNED BY LUTHER C. AND LINDA S. BARNES JR.

The Planning & Inspections Staff recommends denial of the M(P) district and withdrawal of the rezoning request based on the following:

1. The Wade Study Area Detailed Land Use Plan calls for Planned Commercial at this location; and
2. The M(P) zoning district is not appropriate at this location, which is a gateway into the Town of Wade from Interstate 95; and
3. According to the information provided, the applicant can accomplish the project by submitting a Special Use Permit application to the County Board of Adjustment.

The C(P) zoning district is the only other suitable district.

Attachments:

- 1 - Rezoning Sketch Map
- 2 - Site Profile

SITE PROFILE

P06-49

REZONING OF TWO PARCELS TOTALING 33.71 ACRES FROM A1 TO M(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, NORTH AND SOUTH OF WADE-STEDMAN ROAD, ON THE WEST SIDE OF I-95, SUBMITTED BY JAMES A. MCLEAN III, OWNED BY LUTHER C. AND LINDA S. BARNES JR.

Site Information:

Applicant/Owner: JAMES A. MCLEAN III / LUTHER C. AND LINDA S. BARNES JR.

Area: 33.71 acres

Frontage & Location: 960 feet on Wade-Stedman Road

Depth: 750 feet (average)

Jurisdiction: County

Adjacent Property: Yes

Current Use: Residential

Initial Zoning: North-November 25, 1980 (Area 14), South-January 27, 1980 (Area 19A)

Surrounding Zoning: NorthA1, R40A, East-A1, HS(P), M2, South-A1, and West-A1, R40A, Wade town limit

Surrounding Land Use: Garden plot, gas station, hotel, and single family residential

Wade Study Area Detailed Land Use Plan: Planned Commercial

Watershed Area: Yes

Water/Sewer Availability: Town of Wade water / NORCRESS

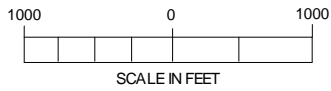
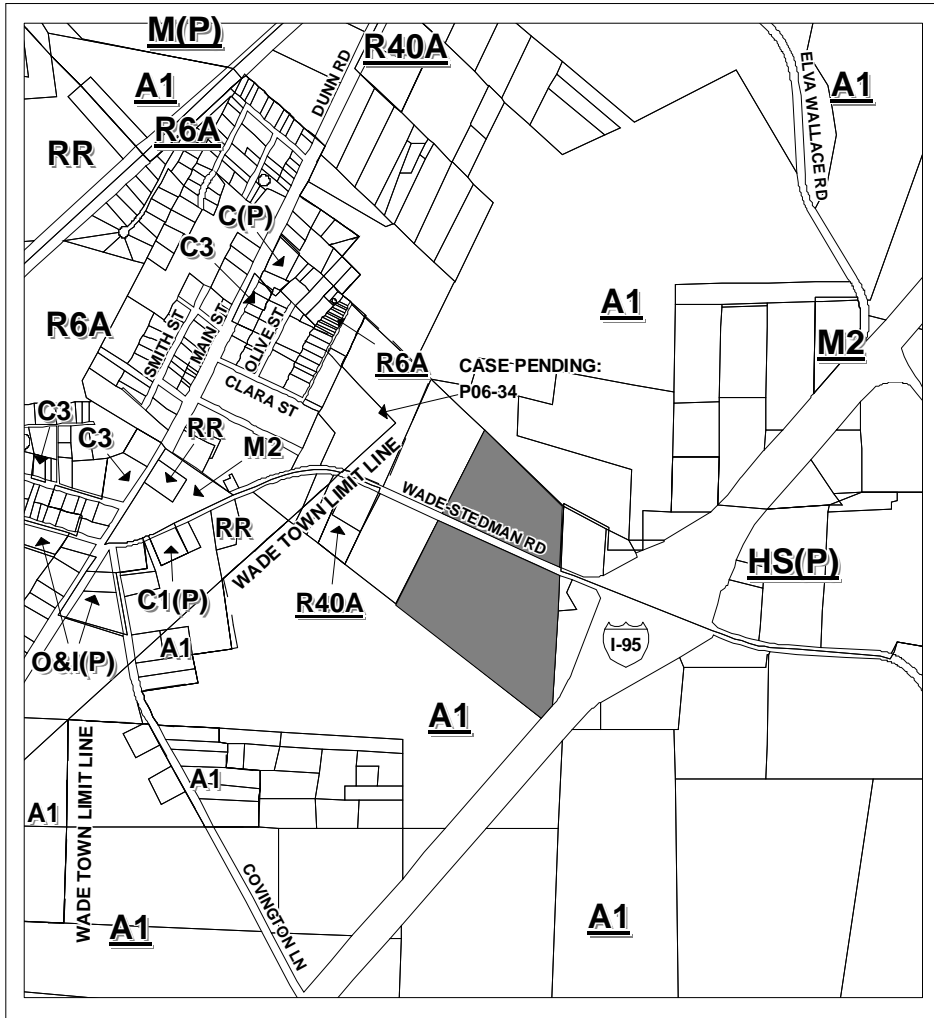
Subdivisions: A site plan review will be required before any development.

Military Impact Area: No

Highway Plan: Wade-Stedman Road is identified as a Major Thoroughfare. The plan calls for widening to a multi-lane facility (Priority #2).

Average Daily Traffic Count (2004): 2,800 on Wade-Stedman Road

Notes:



**REQUESTED REZONING:
A1 TO M(P)**

ACREAGE: 33.71 AC.+/-		HEARING NO: P06-49	
ORDINANCE COUNTY	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0581-33-5915, -5848

SP