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Vacant
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Planning & Inspections Department

TENTATIVE AGENDA

February 18, 2020
6:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE – LORI EPLER
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRALS / WITHDRAWALS

P20-02. REZONING OF 3.70+/- ACRES FROM A1 AGRICULTURAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5877 & 5911 CLINTON ROAD, SUBMITTED BY KATHRINA VICTORIA (OWNER) & SHAWN VALLINI (AGENT). **APPLICANT REQUESTED DEFERRAL TO MARCH 17, 2020**

P20-04. ADOPTION AND ESTABLISHMENT OF THE EASTOVER NORTHERN ENTRANCE CORRIDOR OVERLAY DISTRICT (NECO) CONSISTING OF 503.99+/- ACRES WITHIN THE CORPORATE LIMITS OF THE TOWN OF EASTOVER BY AMENDING THE EASTOVER ZONING MAP CREATING THE ZONING OVERLAY LAYER AND CREATING ZONING ORDINANCE STANDARDS TO BE IMPLEMENTED WITHIN THE NORTHERN ENTRANCE CORRIDOR OVERLAY DISTRICT AREA WITHIN THE EASTOVER SUPPLEMENT (ARTICLE VIII.I OVERLAY DISTRICTS) TO THE COUNTY ZONING ORDINANCE PROVISIONS UNTIL SUCH TIME THAT THE TOWN ADOPTS A COMPLETE EASTOVER ZONING ORDINANCE. (EASTOVER) **DEFERRED FOR FURTHER DISCUSSION.**

P20-12. REVISION AND AMENDMENT TO THE HOPE MILLS ZONING ORDINANCE BY AMENDING ARTICLE XIV SIGNS, SECTION 102A-1402. SIGN DEFINITIONS, SECTION 102A-1404. SIGNS PERMITTED IN ANY DISTRICT, SECTION 102A-1405. GENERAL SITE AND SIGN SPECIFICATIONS, SECTION 102A-1406. SIGNS PERMITTED BY DISTRICT, SECTION 102A-1408. SIGNS PROHIBITED AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (HOPE MILLS) **DEFERRED TO MARCH 17, 2020**

- IV. ABSTENTIONS BY BOARD MEMBERS
- V. APPROVAL OF THE MINUTES OF JANUARY 21, 2020
- VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE
- VII. PUBLIC HEARING CONSENT ITEMS

TEXT AMENDMENTS

- A. **P20-03.** REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE ADOPTING AND ESTABLISHING THE AIRPORT OPERATIONS AREA (AOA) CONSISTING OF 2541.33+/- ACRES BY AMENDING ARTICLE III ZONING DISTRICTS, SECTION 308.1 OVERLAY DISTRICTS., SUB-SECTION A. AIRPORT OVERLAY DISTRICT (AOD); ARTICLE VIII.I OVERLAY DISTRICTS, SECTION 8.101. AIRPORT OVERLAY DISTRICT (AOD).; AND APPENDIX EXHIBIT 3 AIRPORT OVERLAY SKETCH; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.

- B. **P20-06.** REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE BY AMENDING ARTICLE IV PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403. USE MATRIX ALLOWING SCHOOL (BUSINESS AND COMMERCIAL FOR NURSES OR OTHER MEDICALLY ORIENTED PROFESSIONS, TRADE, VOCATIONAL & FINE ARTS) AS A PERMITTED USE WITHIN THE M1(P) PLANNED LIGHT INDUSTRIAL DISTRICT AND M(P) PLANNED INDUSTRIAL DISTRICTS BY INSERTING A "P" IN THE M1(P) AND M(P) COLUMN AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.
- C. **P20-10.** REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE BY AMENDING ARTICLE II INTERPRETATIONS, CALCULATIONS, AND DEFINITIONS, SECTION 203. DEFINITIONS OF SPECIFIC TERMS AND WORDS AND AMENDING ARTICLE IX INDIVIDUAL USES, SECTION 921. RECREATION VEHICLE PARK AND/OR CAMPGROUND AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.

CONDITIONAL ZONING CASE

- D. **P20-09.** REZONING OF 3.45+/- ACRES FROM C1(P) PLANNED LOCAL BUSINESS DISTRICT TO C2(P) PLANNED SERVICE AND RETAIL/CZ CONDITIONAL ZONING FOR ALL ALLOWED USES WITHIN THE C2(P) DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 4107 S MAIN STREET, SUBMITTED BY RICHARD ALLEN JR. & JOAN ALLEN JOHNSON (OWNERS) AND SCOTT BROWN ON BEHALF OF 4D SITE SOLUTIONS, INC. (AGENT). (HOPE MILLS)

REZONING CASE

- E. **P20-11.** REZONING OF 2.70+/- ACRES FROM RR RURAL RESIDENTIAL TO C2(P) PLANNED SERVICE AND RETAIL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE SOUTH SIDE OF SR 1006 (CLINTON ROAD), WEST OF INTERSECTION WITH SR 1831 (BAYWOOD ROAD), SUBMITTED BY DAVID ALLEN ON BEHALF OF NEW HOMES, INC. (OWNER) AND SCOTT BROWN ON BEHALF OF 4D SITE SOLUTIONS, INC. (AGENT).

VIII. PUBLIC HEARING CONTESTED ITEMS

REZONING CASES

- F. **P20-05.** REZONING OF 1.10+/- ACRES FROM PND PLANNED NEIGHBORHOOD DISTRICT TO RR RURAL RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 533 SLOCOMB ROAD, SUBMITTED BY JAMES BLUE JR. (OWNER) & GEORGE R. BLUE (AGENT).
- G. **P20-07.** REZONING OF 2.15+/- ACRES FROM A1 AGRICULTURAL & CD CONSERVANCY DISTRICT TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 7369 RIVER ROAD, SUBMITTED BY DORA J. WELKER (OWNER).
- H. **P20-08.** REZONING OF 1.55+/- ACRES FROM RR RURAL RESIDENTIAL & C(P) PLANNED COMMERCIAL TO RR RURAL RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5087 US HWY 301 S, SUBMITTED BY DELIVERANCE JESUS IS COMING VICTORY CENTER, INC. (OWNER).

IX. DISCUSSION

DIRECTOR'S UPDATE

- Update on 160D Legislation
- Hope Mills Gateway Plan
- Update to the Joint Planning Board Bylaws

X. ADJOURNMENT

PLANNING STAFF REPORT
REZONING CASE # P20-03
Planning Board Hearing: February 18, 2020

EXPLANATION OF THE REQUEST

This is a request to amend the Cumberland County Zoning Ordinance to establish an Airport Operations Area overlay. This text amendment is meant to guide future development within this overlay towards non-residential uses that would be more compatible with the operations of the Fayetteville Regional Airport. Upon the adoption of this amendment, existing legally platted residentially zoned lots would be entitled to one dwelling unit. Newly created parcels or parcels requesting a change in use would be limited to the listed uses within the amendment. Existing uses and structures would not be made nonconforming within the AOA and these uses/structures would be entitled to future permits for additions, repairs or replacement.

STAFF RECOMMENDATION

In Case P20-03, the Planning and Inspections staff **recommends approval** of the text amendment to the Cumberland County Zoning Ordinance and find this text amendment consistent with the adopted South Central Land Use Plan (2015) recommendation of not allowing non-compatible areas with the Fayetteville Regional Airport to expand and developing compatible areas with non-residential uses that support the Airport's operations and future long range plans. The approval of this amendment is also reasonable and in the public interest because it will mitigate development that would be adversely affected by the noise, traffic and other impacts of an airport operation so close to residential development.

Attachments:
P20-03 Airport Operations Area Text Amendment

P20-03
Cumberland County Zoning Ordinance

P20-03. REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE ADOPTING AND ESTABLISHING THE AIRPORT OPERATIONS AREA (AOA) CONSISTING OF 2541.33+/- ACRES BY AMENDING ARTICLE III ZONING DISTRICTS, SECTION 308.1 OVERLAY DISTRICTS., SUB-SECTION A. AIRPORT OVERLAY DISTRICT (AOD); ARTICLE VIII.I OVERLAY DISTRICTS, SECTION 8.101. AIRPORT OVERLAY DISTRICT (AOD).; AND APPENDIX EXHIBIT 3 AIRPORT OVERLAY SKETCH; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.

AMEND the Cumberland County Zoning Ordinance, Article III Zoning Districts, Section 308.1 Overlay Districts as indicated below:

ARTICLE III
ZONING DISTRICTS

SECTION 308.1. OVERLAY DISTRICTS.

Overlay districts establish area-specific provisions which are in addition to the regulations applying to the underlying general and Conditional Zoning districts and in addition to the minimum requirements of this ordinance for Special Uses.

(Amd. 04-18-11)

A. Airport Overlay District (AOD). The purpose of this district along with the Airport Operations Area (AOA) within the AOD, is to protect the public health, safety and welfare in the vicinity of the Fayetteville Regional Airport by minimizing exposure to and giving public notice of probable high noise levels and accident hazards generated by the airport operations and to encourage future development that is compatible with the continued operation of the airport and the economic well-being of the County. Furthermore, the AOA protects airport operations by limiting the permitted uses within the AOA thus encouraging compatible uses that support the Airport's operations.

AMEND the Cumberland County Zoning Ordinance, Article VIII.I Overlay Districts, Section 8.101. Airport Overlay District (AOD) as indicated below:

ARTICLE VIII.I
OVERLAY DISTRICTS

SECTION 8.101. AIRPORT OVERLAY DISTRICT (AOD).

A. Applicability. The provision of this article shall apply to all new development within the Airport Overlay District (AOD) and any addition, remodeling, relocation or construction requiring a zoning or building permit. These provisions shall also apply to all trees located

within the boundary of the AOD.

B. Airport Overlay District (AOD) and Airport Operations Area (AOA) Map. The boundary of the AOD and AOA is established as a layer on the *Official Zoning Map, Cumberland County North Carolina* in digital format and is hereby adopted and made a part of the provisions of this article as if the map itself were contained herein - see Appendix for informational sketch map.
{Amd. 01-19-10}

C. Land Uses. The land uses allowed under the terms of this ordinance shall continue to be allowed in the same manner as established by this ordinance except for parcels located within the Airport Operations Area (AOA) as outlined below.

1. Upon the consideration of any petition for the rezoning of property within the AOD, the Planning & Inspections Staff, Joint Planning Board, and the Board of Commissioners shall give considerable weight to the following factors when formulating their recommendation/ruling:

a. All allowed uses within the district being requested should be compatible with the continued operation of the airport and consistent with the *2023 Off-Airport Land Use Plan*, or subsequent amendments to said plan, upon the subsequent amendments have been officially adopted by the Board of Commissioners;

b. Any petition for rezoning of properties located within the *Airport Impact Zones* - see Appendix for map of *Airport Impact Zones* - should not be favorably considered except where such request is consistent with the following recommended land uses and densities:
{Amd. 01-19-10}

1) *Airport Impact Zones 1, 2 and 5* are zones where the recommended land uses should prohibit residential development and allow low impact (less than five people per acre) non-residential development.

2) *Airport Impact Zones 3 and 4* should allow zero to low density residential development or non-residential development ranging from 25 to 40 people per acre.

3) *Airport Impact Zone 6* should generally allow low density residential development and non-residential development accommodating fewer than 100 people per acre.

c. Any district that would allow a use incompatible with the airport operations should not be favorably considered without a favorable recommendation for the Fayetteville Regional Airport Director, this includes uses that would cause the following:

1) A high concentration of residential dwelling units, specifically at a density of more than two dwelling units per net acre;

2) A use that would cause a high concentration of people, such as: indoor recreation, schools, medical facilities and the like;

3) Release into the air any substance that would impair aircraft visibility or otherwise interfere with its operation;

4) Produce light emissions, either direct or reflective, that would interfere with pilot vision, result in glare in the eyes of pilots using the airport or diminish the ability of pilots to distinguish between airport lights and other lights;

5) Create electrical interference with navigational signals or radio communication between the airport and aircraft;

6) Construct tall smokestacks or television, telecommunication and/or radio transmission towers; or

7) Attract birds or waterfowl in such numbers as would create a hazard and interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport; such as storage of garbage, etc.

2. All allowed uses within the AOA shall be limited to the following:

a. Residential uses are only permitted on existing residentially zoned parcels/lots that were previously legally deeded/platted and recorded prior to the adoption date of the AOA. Residentially zoned properties will be limited to one dwelling unit per lot for parcels that existed prior to the adoption of the AOA. Residential uses are not permitted on residentially zoned parcels/lots created after the adoption date of the AOA.

b. For newly created parcels (or change in use on existing parcels) the following uses are permitted based on the current zoning district as follows:

1) Airport operations minor (Sec. 902);

2) Airport operation major;

3) Banking, on premises and retail only;

4) Banks, savings and loans company and other financial activities;

5) Bus station activities, storage terminal activities;

- 6) Convenience retail w/gasoline sales, including dive thru motor vehicle washing (sec 916);
- 7) Fire station operations/emergency services (Sec. 916);
- 8) Hotel/motel, except as regulated by Sec. 924;
- 9) Industrial operations not otherwise prohibited;
- 10) Industrial sales of equipment or repair services;
- 11) Laboratory operations, medical or dental;
- 12) Laboratory, research;
- 13) Motor vehicle parking lot, commercial;
- 14) Motor vehicle rentals;
- 15) Motor vehicle storage yard;
- 16) Office supplies equipment sales and service/mailbox service;
- 17) Office use – of doctor, dentist, osteopath, chiropractor, optometrist, physiotherapist, or other medically oriented profession, clinics (Sec. 916);
- 18) Office use – with no on-premises stock or goods for sale to the general public and the operations and services of which are customarily conducted and concluded by means of written, verbal or mechanically reproduced communications material;
- 19) Public/community utility stations/substations;
- 20) Public utility works, shops or storage yards (Sec. 916);
- 21) Railroad station/operations;
- 22) Restaurant, operated as commercial enterprise, except as regulated by Section 924;
- 23) Storage-open;
- 24) Storage-warehouse;

- 25) Taxicab stand operation;
- 26) Trade contractor activities, with or without outside storage of equipment or supplies;
- 27) Trailer rentals, including terminal activities, hauling and/or storage, incidental to same, but excluding mini warehousing as defined herein;
- 28) Truck terminal activities, repair & hauling and/or storage;
- 29) Wireless communications & accessory sales;

D. Height Limitations Structures shall not be erected, altered, or maintained, and no tree shall be allowed to grow in to a height in excess of the applicable height limits established and regulated by the Federal Aviation Administration (FAA), and prior to application for any building/zoning permit the developer shall provide to the Coordinator a copy of the FAA's acknowledgement of receipt of FAA Form 7460-1, *Notice of Proposed Construction or Alteration*, as required by Part 77 of the Federal Aviation Regulations (14 C.F.R. Part 77). In the event, the FAA's acknowledgement indicates the proposed development would provide an obstruction and/or a hazard to air navigation, the developer must provide either written consent from the Airport Director as related to the proposed development or seek a variance under the provisions of this chapter. Notwithstanding the provisions of this section, height limitations shall not apply to any structure or any vegetation that is 35 feet or less in height, except when such tree or structure, because of terrain, land contour, or topographic features, would extend above the height limits of the FAA. The FAA height limitations generally include the following:

1. Approach Zone. Height limitations for Approach Zones shall be determined by measuring outward and upward at a 50:1 slope for Runway 4/22 and a slope of 50:1 for Runway 10/28. This measurement is commenced from the end of and at the same elevation as the end of the respective runway centerline to the prescribed horizontal distance.

2. Transitional Zone. Height limitations for the Transitional Zone shall be determined by measuring outward and upward at a 7:1 slope from the sides of and at the same elevation as the Approach Surface and extending to the point of intersection with a horizontal surface or conical surface.

3. Conical Zone. Height limitations in the Conical Zone are established by measuring from the periphery of the horizontal zone and at 150 feet above elevation outward and upward at a 20:1 slope to a height of 350 feet above airport elevation.

4. Horizontal Zone. Height limitations in the Horizontal Zone are established at 150 feet above airport elevation (190 MSL).

E. Notice and Disclosure of Noise Impact. Any site plan, preliminary or final plat for property located within the AOD that is submitted for review and approval under the terms of this ordinance and/or the County Subdivision Ordinance shall contain the following notice:

"Property shown on this plan/plat is within the Cumberland County Airport Overlay District and all or a portion of the property described hereon is within an area that is subject to an average noise level near to or exceeding 65 dnl."

F. Lighting/Marking.

1. Any allowed use, subdivision, or other development located within the AOD shall not have outdoor lighting or illumination arranged and/or operated in such a manner as to be misleading or pose a danger to aircraft operations and in no case shall lighting be in contradiction to the provisions of Section 1102.M of this ordinance.

2. The owner of any existing structure or vegetation that is currently penetrating any referenced surface within the AOD shall permit the installation, operation, and maintenance thereon of whatever markers and lights deemed necessary by the Federal Aviation Administration or by the Director of the Fayetteville Regional Airport to indicate to the operators of aircraft in the vicinity of the airport the presence of an airport obstruction. These markers and lights shall be installed, operated, and maintained at the expense of the Fayetteville Regional Airport Director.

G. Aviation Easement. Property owners and residents of properties in which is encumbered by the aviation easement, recorded in Deed Book 520, page 186, at the Cumberland County Register of Deeds, shall not restrict the access of the Fayetteville Regional Airport Director or the director's designee to enter said properties for purposes of carrying out the provisions of the easement see Appendix 1 for sketch map of easement location.

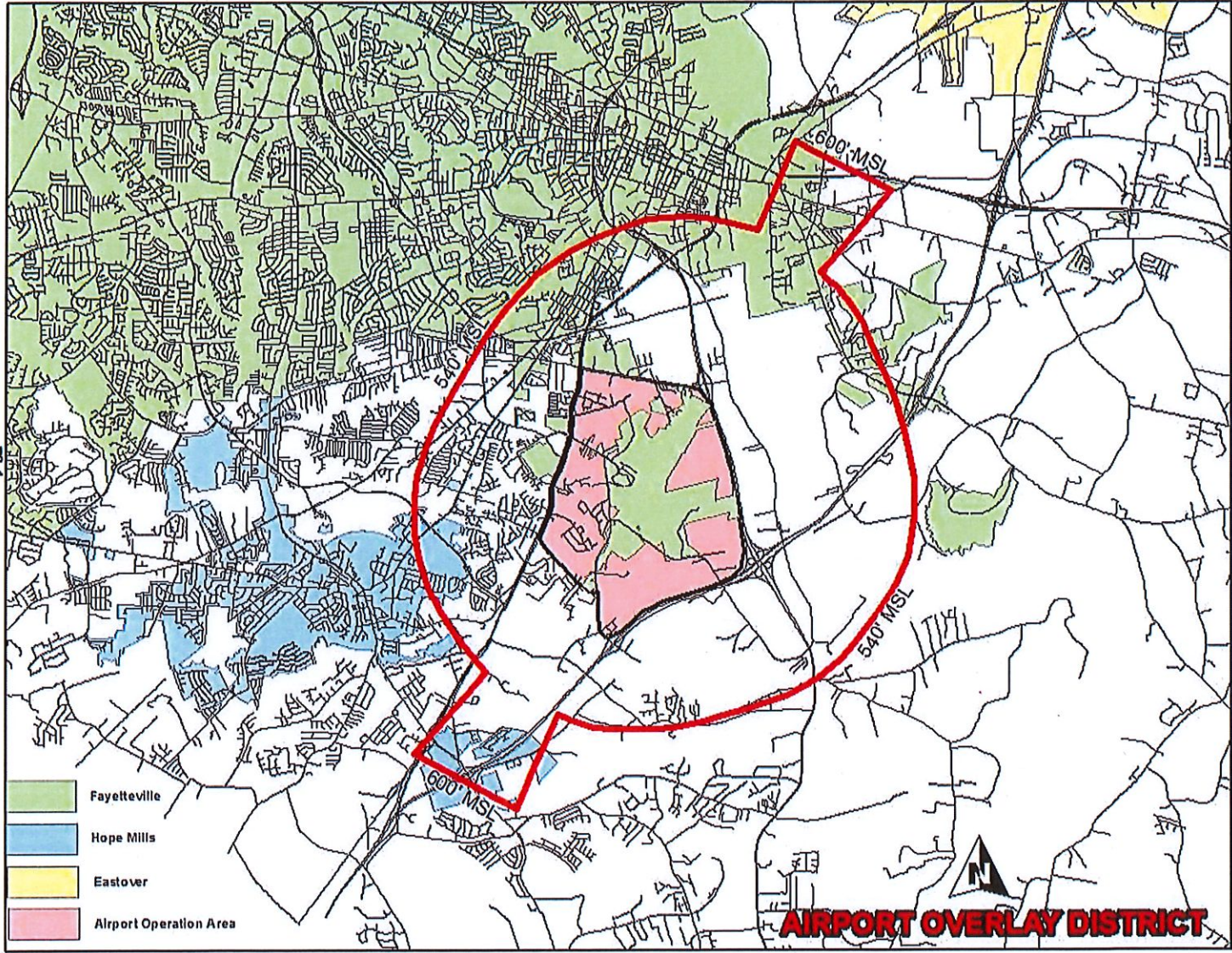
(Amd. 01-19-10)

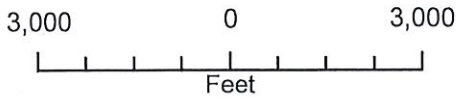
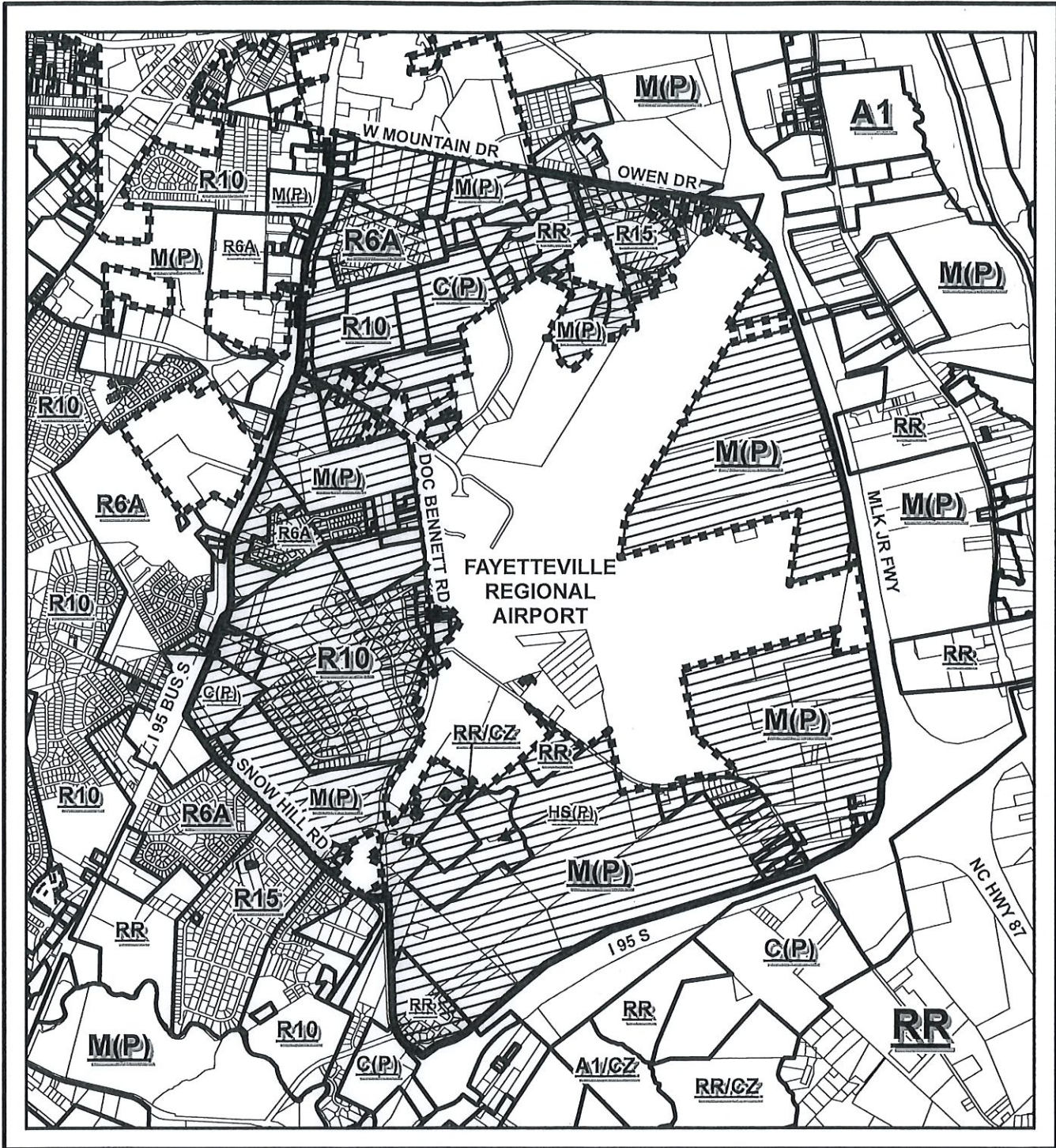
H. Nonconformities. The regulations prescribed in this section shall not be construed to require the removal, lowering or other change or alteration of any existing structure that is found to be nonconforming to the provisions of this section as of the effective date of this amendment, or otherwise interfere with the continuance of an existing use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which valid permits have been issued prior to the effective date of this amendment and is diligently exercised. The provisions of this sub-section do not apply to any tree, which may be trimmed in the event the tree is found to be encroaching into the airspace zones established in sub-section "D" above.

Whenever it is determined that a nonconforming tree or structure has been abandoned or more than 50% percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations within the AOD.

Within the AOA, uses and structures existing prior to the adoption of the AOA shall be considered as being conforming and permitted if they were a conforming, permitted use under the respective zoning district within the AOA. The existing structures will be entitled to any future permits for building additions, repairs or replacement of existing structures for the same type of use as allowed prior to the adoption date of the AOA and in conformance with the applicable zoning district and this section.

I. Conflicting Regulations. Where the provisions of this section conflict with the remaining provisions of this ordinance and any other provision of the County Code or other Federal, State or local regulation, the more restrictive regulation shall apply.
(Amd. 09-16-08)





COUNTY AIRPORT OPERATIONS AREA OVERLAY REZONING

ACREAGE: 2541.33 AC. +/-	HEARING NO: P20-03
ORDINANCE: COUNTY	
STAFF RECOMMENDATION	
PLANNING BOARD	
GOVERNING BOARD	

PIN: SEE FILE

AM

PLANNING STAFF REPORT
REZONING CASE # P20-06
Planning Board Hearing: February 18, 2020

EXPLANATION OF THE REQUEST

This is a request to amend the Cumberland County Zoning Ordinance to allow "School (business and commercial for nurses or other medically oriented professions, trade, vocational & fine arts)" as a permitted use within the M1(P) Planned Light Industrial District and the M(P) Planned Industrial District. This is a citizen-submitted text amendment request. The amendment was brought about due to a future vocational school that is being developed in partnership with FTCC. The applicants would like to locate this vocational school within the County Industrial Park off Tom Starling Road. The properties in question are zoned M(P) and a vocational school is not currently permitted in that district. This amendment, if approved, would allow the vocational school to be developed inside the industrial park.

STAFF RECOMMENDATION

In Case P20-06, the Planning and Inspections staff **recommends approval** of the text amendment to the Cumberland County Zoning Ordinance and find this text amendment consistent with the adopted 2030 Growth Vision Plan (2009) Policy 1.3 of local governments being partners in the creation of business and industrial development opportunities by capitalizing upon the unique human and economic resources of the area and Policy 1.12 of identifying appropriate sites for manufacturing and new technology enterprises and protecting them through appropriate zoning. Approval of this text amendment is also reasonable and in the public interest because vocational schools, especially ones in fire safety such as the proposed school by the applicant, could certainly avoid any potential harmful impacts on surrounding properties by utilizing industrial development standards and approval of the amendment would prevent a potential rezoning to a commercial zoning district within the County industrial park.

Attachments:
P20-06 Submitted Text Amendment

P20-06
Cumberland County Zoning Ordinance

P20-06. REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE BY AMENDING ARTICLE IV PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403. USE MATRIX ALLOWING SCHOOL (BUSINESS AND COMMERCIAL FOR NURSES OR OTHER MEDICALLY ORIENTED PROFESSIONS, TRADE, VOCATIONAL & FINE ARTS) AS A PERMITTED USE WITHIN THE M1(P) PLANNED LIGHT INDUSTRIAL DISTRICT AND M(P) PLANNED INDUSTRIAL DISTRICTS BY INSERTING A "P" IN THE M1(P) AND M(P) COLUMN AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.

AMENDING ARTICLE IV. - PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403 USE MATRIX. ALLOWING SCHOOL (BUSINESS AND COMMERCIAL FOR NURSES OR OTHER MEDICALLY ORIENTED PROFESSIONS, TRADE, VOCATIONAL & FINE ARTS) IN THE M1(P) AND M(P) DISTRICT AS A PERMITTED USE BY INSERTING A "P" INDICATING PERMITTED USE IN THE M1(P) & M(P) COLUMN AS INDICATED BELOW:

ARTICLE IV
PERMITTED, CONDITIONAL AND SPECIAL USES

SECTION 403. USE MATRIX

The matrix on the following pages indicates Permitted and Special uses as well as some uses allowed only in a Conditional Zoning district.

Section 403 Use Matrix.

Cumberland County Zoning Ordinance

P = Permitted use

S = Special Use (Sec. 1606, Bd of Adjustment)

Z = Conditional Zoning (Art. V, County BOC)

Land Uses	Zoning Classification																					
	CD	A1	A1A	R40	R40A	R30	R30A	RR	R20	R20A	R15	R7.5	R6	R6A	R5	R5A	O&I (P)	C1(P)	C2(P)	C(P)	M1 (P)	M(P)
SCHOOL, business and commercial for nurses or other medically oriented professions, trade, vocational & fine arts																	P	P	P	P	<u>P</u>	<u>P</u>

P20-06 Schools (business, trade, vocational, fine arts) in M1(P) & M(P)
 County Zoning Text Amendment

PLANNING STAFF REPORT
REZONING CASE # P20-10
Planning Board Hearing: February 18, 2020

EXPLANATION OF THE REQUEST

This is a request to amend the Cumberland County Zoning Ordinance to establish additional development standards for cabins within recreation vehicle parks as well as establish time constraints and logbook requirements for stays within existing and new parks/campgrounds. Due to the recent spike in recreation vehicle park requests and development trends concerning cabins, recreation vehicles and other short-stay developments, staff felt it necessary to more clearly define the cabin standards based on the concerns of the Joint Planning Board.

STAFF RECOMMENDATION

In Case P20-10, the Planning and Inspections staff **recommends approval** of the text amendment to the Cumberland County Zoning Ordinance and find this text amendment consistent with the adopted 2030 Growth Vision Plan (2009) Policy Area 2 of Well-Managed Growth and Development where the vision is to create development standards for application across rural and urban areas to ensure efficient and quality development is achieved. Approval of this text amendment is also reasonable and in the public interest because clearly defined standards for cabins and inspection requirements for a logbook will likely prevent future code violations of permanent residents in what is meant to be a use for temporary habitation.

Attachments:
P20-10 RV Park & Campground Text Amendment

P20-10
Cumberland County Zoning Ordinance

P20-10. REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE BY AMENDING ARTICLE II INTERPRETATIONS, CALCULATIONS, AND DEFINITIONS, SECTION 203. DEFINITIONS OF SPECIFIC TERMS AND WORDS AND AMENDING ARTICLE IX INDIVIDUAL USES, SECTION 921. RECREATION VEHICLE PARK AND/OR CAMPGROUND AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.

AMEND the Cumberland County Zoning Ordinance, Article II Interpretations, Calculations, and Definitions by amending and adding definitions concerning cabins in Section 203. Definitions of Specific Terms and Words as indicated below:

ARTICLE II
INTERPRETATIONS, CALCULATIONS, AND DEFINITIONS

SECTION 203. DEFINITIONS OF SPECIFIC TERMS AND WORDS.

In further amplification and for clarity of interpretation of the context, the following definitions of word usage shall apply:

Building: Any structure enclosed and isolated by exterior walls constructed or used for residence, business, industry or other public or private purposes, or accessory thereto, including tents, cabins, lunch wagons, dining cars, trailers, manufactured homes and attached or unattached structures consisting of roof and supporting members, and similar structures whether stationary or movable.

Cabin: A building used of occupancies containing sleeping units where the occupants are primarily transient in nature and meet the State building codes for a residential building.

Cabin, Open air: A building that has three walls consisting of at least twenty-percent screened openings with a maximum height of 44 inches (1120) mm) above the finished floor to the bottom of the openings, has no heating or cooling system.

Campground/RV Parks: Land upon which shelters (such as tents, cabins/open air cabins, travel trailers and recreational vehicles) are erected or located for temporary occupation by transients and/or vacationers. They may include such permanent structures and facilities as are normally associated with the operation of a campground. (Section 921)

AMEND the Cumberland County Zoning Ordinance, Article IX Individual Uses by amending Section 921. Recreation Vehicle Park and/or Campground as indicated below:

**ARTICLE IX
INDIVIDUAL USES**

SECTION 921. RECREATION VEHICLE PARK AND/OR CAMPGROUND.

A. Recreation vehicle parks/campgrounds shall be used only by travel trailers, pickup, coaches, motor homes, camping trailers, other vehicular accommodations, cabins and tents suitable for temporary habitation and used for travel, vacation and recreation purposes.

B. The area of the park/campground shall be at least three acres. Each recreation vehicle/cabin/open air cabins, camp site, excluding sites used solely for tents, shall be a minimum of 1,200 square feet in area with a maximum of 20 sites per acre. Each site shall contain a stabilized vehicular parking pad of packed gravel, paving or other suitable material. Cabin sites shall not exceed more than twenty-percent of the total proposed sites within the recreation vehicle/campground site. The maximum size of the proposed cabins shall not exceed 400 square feet and shall be identified as being either a cabin or open air cabin. Cabins shall not have bathrooms within the cabin and must be served by a bathhouse located within 500 feet from the entrance of the cabin to the entrance of the bathhouse.

C. All yard setback requirements shall be in accordance with the dimensional requirements of the zoning district in which the park or campground is located and no structure, recreational vehicle site or camping site shall be located within the required yard area.

D. Individual recreation vehicle spaces within a recreation vehicle park/campground shall not directly access a public road. Access to all recreation vehicle spaces/cabin and accessory structures within the park/campground shall be from internal streets with the entrance to the park directly accessing a public right-of-way. A driveway permit must be obtained from the North Carolina Department of Transportation for connection to the public street.

E. The recreation vehicle park/campground shall not allow for permanent occupancy on the same site by the same occupant for any continuous period of time exceeding 90 days with a maximum allowance of 180 days per calendar year within the same park. There must be a minimum 30 day waiting period between stays within the same park for each recreational vehicle/occupant. Each recreation vehicle park/campground shall be required to maintain a registry or logbook identifying, at a minimum, the recreation vehicle license plate number and Vehicle Identification Number for recreation vehicle sites and/or names of occupants in campground sites which will be subject to inspection by the County during regular inspections. Upon the adoption date of this amendment, existing recreation vehicle parks will also be required to comply with the logbook requirement.

F. Each park shall have at least one telephone available for public use. Management headquarters, manager's residence, recreational facilities, bathhouses, toilets, dumping stations, showers, coin-operated laundry facilities, stores and the uses and structures customarily incidental to operations of a recreation vehicle park/campground are permitted as accessory uses to the park, subject to the following restrictions:

1. Such establishments (excluding recreational facilities) and the parking areas primarily related to their operations shall not occupy more than 10% of the gross area of the park/campground.

2. The structures housing such facilities shall not be located closer than 100 feet to any public street and shall not be directly accessible from any public street but shall be accessible only from an internal drive within the park/campground.

3. Such structures containing toilets, bathhouses and other plumbing fixtures shall comply with the requirements of the North Carolina Building Code.

4. Each park shall be limited to a maximum of one manager's/ caretaker's residence.

G. Adequate off-street parking and maneuvering space shall be provided on site. No public street, sidewalk or right-of-way or any other private grounds not a part of the recreational vehicle parking area shall be used to park or maneuver vehicles.

H. Internal drives shall be constructed to a minimum of 18 feet in width if providing two way streets and 12 feet in width for one way streets and contain a minimum depth of six inches of stone gravel base with proper ditching, drainage, and seeding of slopes. Permanent dead-end streets shall have a cul-de-sac constructed 40 feet in diameter.

I. Recreational vehicle parks and campgrounds shall be enclosed by a fence, wall, landscape screening, earthen mounds or by other measures from all contiguous residential areas in a manner that complements the landscape and assures compatibility with the adjacent environment and complies with the buffering requirements for non-residential uses adjacent to residential districts.

J. In addition to the requirements required to be shown on the site plan as required by the Article XIV, the site plan shall include the name and address of the applicant, the location and dimensions of each recreation vehicle/camping site, the location and use of all service and recreational facilities, all interior access ways, drives, and parking. All site plans subject to this Section shall also require approval from the County Health Department.

K. When permitted, recreation vehicle parks/campgrounds within the CD Conservancy

District shall be subject to the following requirements:

1. No individual recreation vehicle/camping site shall have individual on-site septic systems.

2. Each recreational vehicle must be equipped with a holding tank and each park/campground must have an approved dumping station or pump-out facilities on the premises.

L. All Federal, State and other local regulations shall be complied with.
(Amd. 11-20-06; Amd. 01-19-10)

PLANNING STAFF REPORT
REZONING CASE # P20-09
Planning Board Hearing: February 18, 2020

EXPLANATION OF THE REQUEST

This is a request to rezone one parcel located on the east side of S Main Street, south of Church Street, from C1(P) Planned Local Business District to C2(P) Planned Service and Retail/CZ Conditional Zoning for all allowed uses within the C2(P) district. The submitted site plan shows the subject property divided into two parcels with a retail development on one and the other left vacant at this time. This is a conditional rezoning and all ordinance related conditions will apply.

OWNER/APPLICANT

OWNER/APPLICANT: Richard Allen Jr. & Joan Allen Johnson (owners) and Scott Brown on behalf of 4D Site Solutions, Inc. (agent)

PROPERTY INFORMATION

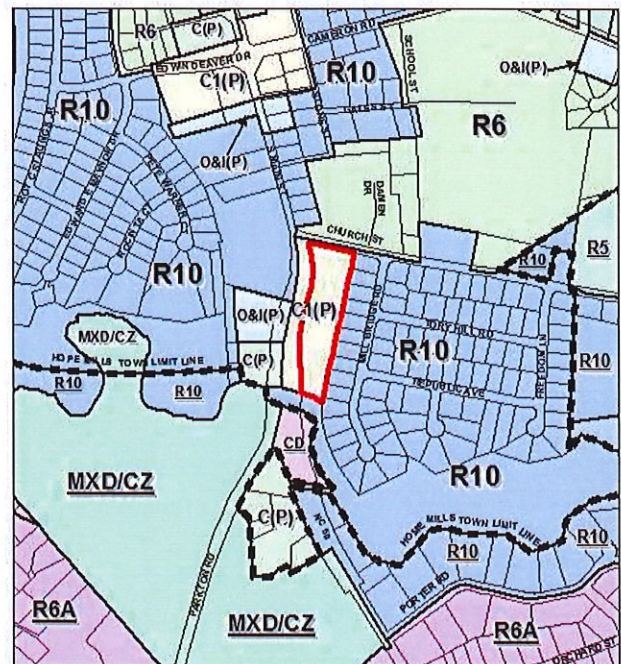
ADDRESS/LOCATION: 4107 S Main Street; more specifically PIN 0414-71-1087

SIZE: This request includes one parcel totaling approximately 3.45 acres. The property has approximately 260' of street frontage along Church Street, approximately 836' of street frontage along S Main Street and is 159'+/- in depth.

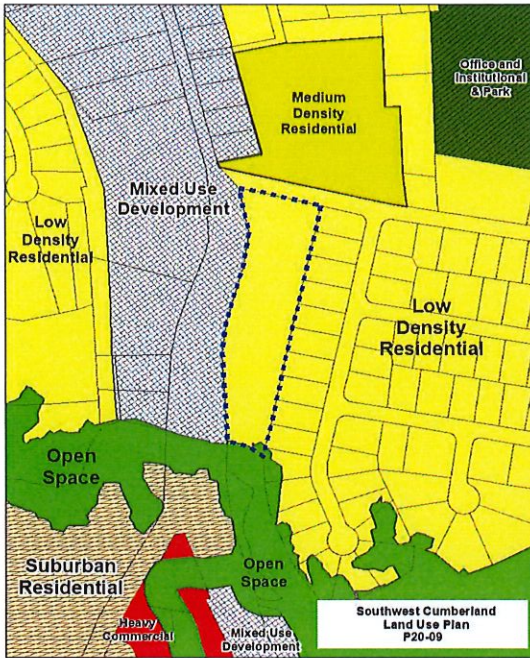
EXISTING LAND USE: The subject property is currently developed with a vacant commercial building.

OTHER SITE CHARACTERISTICS: The property is not located within the watershed but is within the Special Flood Hazard Area. There are hydric soils (JT- Johnston loam) located on the property.

DEVELOPMENT REVIEW: This property was platted on 12-8-76 in Plat Book 44, page 26.



SURROUNDING LAND USE: There are residential uses adjacent to the subject property including multi-family dwellings. There is also a cemetery, middle school, convenience store, dentist office and public utility substation developed in the surrounding area.



ZONING HISTORY: This property was initially zoned M1 as part of the Area 4 initial zoning on November 17, 1975. The Town of Hope Mills initially zoned the property C1 on April 19, 1976 after annexation as part of Case P76-32.

UTILITIES: This site is currently served by PWC water and sewer. This property is not within a water/sewer district.

MINIMUM YARD SETBACKS: If approved, this parcel would be subject to C2(P) setbacks: Front yard: 50 foot, Side yard: 30 foot, Rear yard: 30 foot.

COMPREHENSIVE PLANS: The 2030 Growth Vision Plan designates this parcel for "Urban". The "Urban" designation applies to areas that have a full range of urban services in place. The Southwest Cumberland Land Use Plan (2014) designates this parcel for "Low Density Residential" with a small piece of "Open Space" in the southeastern corner. "Low Density Residential" includes residential uses with a density of 2.2 to 6 units/acre and allows only stick-built homes. Lands within the "Open Space" designation should be left natural and used for agricultural or recreational uses. **Request is not plan compliant.**

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: South Main Street is identified as a thoroughfare needing improvement in the 2045 Metropolitan Transportation Plan. There are no constructions/improvements planned and the subject property will have no impact on the Transportation Plan. The Average Daily Traffic Count (2018) on NC 59 (S Main St) is 17,000.

SCHOOLS: Comments requested via e-mail. None received.

ECONOMIC DEVELOPMENT: Comments requested via e-mail. None received.

EMERGENCY SERVICES: Comments were requested from the Hope Mills Fire Marshal. The Fire Marshal stated that not indicating a twenty-foot-wide all weather driving surface around the entire building will trigger required upgrades to the fire protection requirements.

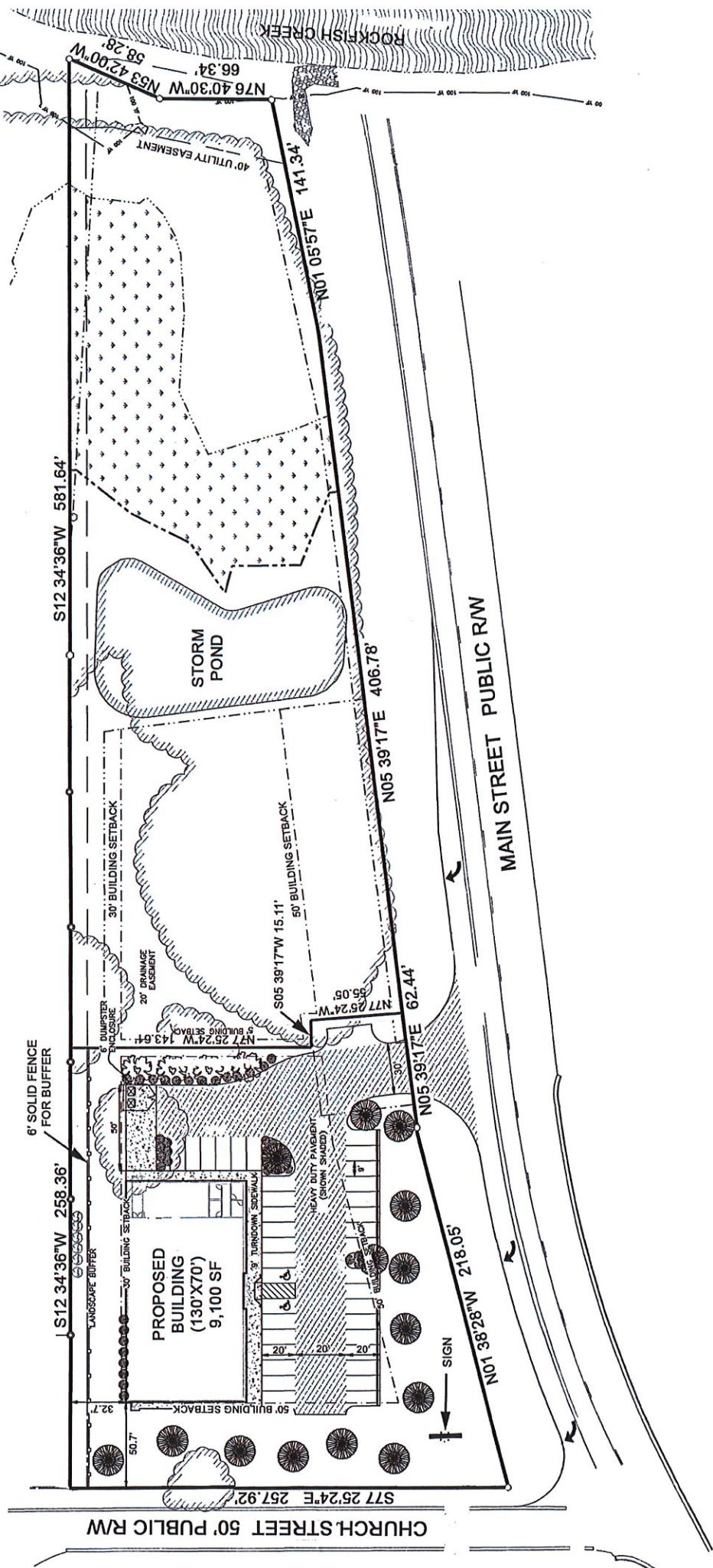
FAYETTEVILLE REGIONAL AIRPORT: This property is not within the Airport Overlay District.

STAFF RECOMMENDATION

In Case P20-09, the Planning and Inspections staff **recommends approval** of the rezoning from C1(P) Planned Local Business District to C2(P) Planned Service and Retail/CZ Conditional Zoning for all allowed uses within the C2(P) district and find:

- a. The approval is an amendment to the adopted current Southwest Cumberland Land Use Plan (2014) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request;
- b. The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the parcel is currently served by public water and sewer and is adjacent to the "Mixed Use Development" designation which would allow light commercial uses;
- c. And, this rezoning approval is reasonable and in the public interest because the subject property is along a heavily trafficked thoroughfare that would not be feasible for residential lots as desired by the "low density residential" designation.

Attachments:
 Site Plan & Draft Ordinance Related Conditions
 Zoning Application
 Notification Mailing List



C2(P) PLANNED SERVICE AND RETAIL DISTRICT

/CZ CONDITIONAL ZONING

REQUEST: FOR ALL ALLOWED USES WITHIN C2(P)

CASE: P20-09 ACREAGE: 3.45 AC +/-

ZONED: C1(P) SCALE: NTS

*SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST

C2(P) PLANNED SERVICE AND RETAIL/CZ CONDITIONAL ZONING DISTRICT

DRAFT

Ordinance Related Conditions *for all allowed uses in C2(P) district*

Pre- Permit Related:

1. The Town of Hope Mills has tree preservation provisions in their ordinance; the developer must contact Chancer McLaughlin, Hope Mills Town Planner concerning the removal of trees from this site prior to obtaining a tree removal permit.
2. Prior to application for permits, a revised site plan must be submitted to Current Planning for review. An additional 15 shrubs for off-street parking area landscaping for Lot 1 is required. Please see Condition # 11 below.
3. Prior to the application for permits for any additional permitted use on the second lot (currently shown as vacant), a detailed site plan must be submitted to Current Planning for review. Additional conditions including landscaping, signage, parking, etc. for the submitted site plan will be required.

Permit-Related:

4. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the Hope Mills Zoning Ordinance and building/zoning permits required to place any structure within this development from the Hope Mills Inspection Department/Planning Department, in Town Hall at 5770 Rockfish Road. For additional information, the developer should contact a Town Planner.
5. The Town's Plan Review Committee requirements must be complied with and in the event any significant changes to the site plan are necessary to satisfy the Plan Review Committee's requirements, re-submittal of the site plan may be required.
6. Connection to public water and sewer is required, the Public Works Commission (PWC) must approve water and sewer plans prior to application for any permits. A copy of the PWC approval must be provided to the Hope Mills Inspections Department/Planning Department at the time of application for building/zoning permits. (Section 86A-406 (1), Public Water and Sewer Systems Hope Mills Subdivision Ordinance)
7. New development that will disturb one acre or more of land or is part of a larger common plan of development that will disturb one acre or more of land is subject to the Post-Construction Stormwater Management Permitting Program administered by the Hope Mills Stormwater Department. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site a copy of the Town's Stormwater Management Permit must be provided to the Hope Mills Inspections Department/Planning Department.
8. For any new development, the developer must/may have to provide the Hope Mills Inspections Department/Planning Department with an approved NC Department of Environmental Quality (NCDEQ) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDEQ approval must be provided to the Hope Mills Town Inspections Department/Planning Department at the time of application for any building/zoning permits.
9. The developer must provide a site-specific address and tax parcel number to the Hope Mills Inspections Department/Planning Department at the time of building/zoning permit application.
10. The *Special Flood Hazard Area* (SFHA) exists on this tract; any development within SFHA must have first flood elevations, including all mechanical and electrical equipment above base flood elevation (BFE) plus two feet of freeboard. Proper flood plain development permits are required, issued by the Hope Mills Stormwater Department, prior to any building/permit application. A copy of the approved flood plain permit must be provided to the Hope Mills Town Inspector/Town Planner at the time of building/zoning permit applications.

Note: The Special Flood Hazard Area is shown at the very southern end of the subject property.

11. Landscaping must be provided in accordance with Section 102A-1202(n), Landscaping, Hope Mills Zoning Ordinance and/as shown on the site plan. Three copies of a revised site plan depicting the landscaping must be submitted to Land Use Codes. The following are the minimum standards for the required landscaping of this site:
 - a. 11 large shade trees or 32 small ornamental trees within the front yard setback area;
 - b. 4 small ornamental trees and 40 shrubs are required in the building yard area;
 - c. 3 trees and 15 shrubs are required within the parking area.

In addition:

- a. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
 - b. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.
12. A Certificate of Occupancy will not be issued until the Hope Mills Stormwater Department inspects the site and certifies that it has been developed in accordance with the approved drainage plans.
13. A *Certificate of Occupancy* will not be issued until the Town Planner inspects the site and certifies that the site is developed in accordance with the approved plans.
14. The developer must obtain a driveway permit from the Hope Mills Street Department and NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Hope Mills Inspection Department /Planning Department at the time of application for building/zoning permits. Permits MUST be secured prior to the change or alteration of existing or proposed property use. Failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense. For additional information contact the Hope Mills Street Department and NCCDOT Division 6 / District 2 office at the numbers listed on the bottom of this conditional approval.

Note: In the event the NCDOT driveway permit process alters the site plan in any manner, the copies of a revised site plan must be submitted for staff review and approved prior to permit application.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

Site-Related:

15. All uses, dimensions, setbacks and other related provisions of the Hope Mills Subdivision Ordinance and Zoning Ordinance for the C2(P) Planned Service and Retail district/CZ Conditional Zoning district must be complied with, as applicable.
16. All corner lots and lots fronting more than one street must provide front yard setbacks from each street.
17. This conditional approval is not approval of the permit for any freestanding signs. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIV of the Hope Mills Zoning Ordinance and that the proper permit(s) must 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.)
18. All applicable provisions of Section 86A-501, "Group Developments", Hope Mills Subdivision Ordinance, must be complied with.
19. "Main Street" must be labeled as "NC 59 (S. Main Street)" and "Church Street" must be labeled as "SR 2996 (Church Street)" on all future plans.
20. A drainage permit from the Town of Hope Mills Stormwater Department is required for any development or redevelopment that will construct, alter, repair, relocate, or demolish any storm sewer natural watercourse, or other drainage facility. The standards

used for the design and construction of all stormwater drainage structures and/or stormwater BMP facilities shall be in accordance with the "Town of Hope Mills Stormwater Design Standards", the Design Manual, and shall be subject to the requirements of Chapter 67 Article III.

21. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 86A-406(c), Underground utilities required, Hope Mills Subdivision Ordinance)
22. The owner/developer shall secure and maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
23. This review does not constitute a "subdivision" approval by NC Department of Transportation (NCDOT). A separate submittal to NCDOT will be required prior to consideration for addition to the system of any street within this development.
24. Turn lanes may be required by the Hope Mills Street Department and NC Department of Transportation (NCDOT).

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

25. All lighting is required to be directed internally within this development and comply with the provisions of Section 102A-1202(m), Outdoor Lighting, Hope Mills Zoning Ordinance.
26. A solid buffer must be provided and maintained along the eastern and southern property lines where this tract/site abuts residential zoning in accordance with the provisions of Section 102A-1202(g), Buffer Requirements, Hope Mills Zoning Ordinance. (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)

Note: By showing a solid fence as the buffer for the eastern property line in the front yard setback required from Church Street, the applicant is requesting the Board of Commissioners grant a variance allowing the solid fence within the front yard setback area.

27. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
28. All required off-street parking spaces shall be a minimum of 9' x 20' and shall be surfaced, with a permanent material such as asphalt or concrete, and striped prior to application for the building final inspection. A minimum of 34 off-street parking spaces is required for this development. (Section 102A-1302, Off-street parking, Hope Mills Zoning Ordinance.)
29. A minimum of one off-street loading spaces(s) measuring 12' x 25' with 14' overhead clearance must be provided for the retail area. (Note: Three copies of a revised site plan depicting the required loading space(s) must be submitted and approved prior to application for any building/zoning permits.) (Section 102A-1303 Off-street loading, Hope Mills Zoning Ordinance.)
30. Noise levels shall not exceed 60 dB(A) between the hours of 10:00 pm and 7:00 am. In any event, the noise level, regardless of the time of day, shall not become a nuisance to neighboring properties and strict compliance with the County's Noise Ordinance is required.

Plat-Related:

31. Prior to final plat approval a concrete, or other approved surface material, sidewalks are required to be constructed along adjacent streets to subject property, to include along NC 59 (S. Main Street) & SR 2996 (Church Street) (Section 86A-405, Sidewalks, Hope Mills Subdivision Ordinance)

Note: This condition to be verified by the Town Planning Staff prior to the Town stamping the final plat.

32. The proposed development is located in a Special Flood Hazard Area (SFHA). The final plat must show the limits of the SFHA; information may be obtained from the Hope Mills Inspections Department or the Federal Emergency Management Agency's (FEMA) website at www.ncfloodmaps.com. Any development within the SFHA is subject to the requirements of the Town's Flood Damage Prevention Ordinance administered by the Hope Mills Inspections Department.
33. Lot identifiers and total acreage of each tract must be indicated on the final plat.

34. The developer is required to submit to the Current Planning Section either one set of a hard copy or one set of a pdf email copy to Betty Lynd at blynd@co.cumberland.nc.us of the following documents:
- a. One copy of proposed covenants, by-laws and articles of incorporation for the proposed development designating responsibility for maintenance and upkeep of the stormwater pond and facilities by the owners' association for the development;
 - b. One copy of the deeds proposed for recordation conveying all common area to the proposed owners association;
 - c. One copy of any proposed supplemental covenants if the proposed development is to be submitted for final approval in phases; and
 - d. One copy of each proposed final plat prior to the submission for final approval – can be a phase of the approved development or the complete development as approved.

These documents must be approved by the Town Attorney prior to the sale of or submission for final plat approval of any lot or unit within this development.

35. "Main Street" must be labeled as "NC HWY 59 (S Main Street)" and "Church Street" must be labeled as "SR 2996 (Church Street)" on the final plat.
36. The final plat should be labeled as a "Zero Lot Line Subdivision".
37. Any/All easements must be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
38. A 10' x 70' sight distance easement is required at the intersection of NC HWY 59 (S Main Street) with SR 2996 (Church Street) and must be reflected on the final plat.
39. A 25' right-of-way radius is required at all intersections and must be reflected on the final plat. (Section 86A-404(a)(11), Street Design, Hope Mills Subdivision Ordinance)

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

40. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission for final plat approval by Land Use Codes.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

41. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval. (Section 86A-603(d), Certificate of Ownership and Dedication, Hope Mills Subdivision Ordinance)
42. The developer is reminded that the improvements must be in place or that final plat approval will only be granted in accordance with Section 86A-602 (b), (c) or (d), Final Plat – Guarantees of Improvements, Hope Mills Subdivision Ordinance. (Note: Once the improvements are in place, the developer is responsible for contacting Hope Mills Street, Planning and Inspections Departments to schedule an inspection of the improvements.)
43. The final plat must be submitted to the Current Planning Section for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.
44. The developer should be aware that any addition and/or revision to this plat may require an additional review and approval by the Planning & Inspections Department prior to submission for final plat approval of any portion of this development.

Plat-Required Statements:

45. All structures shall be shown on the final plat or the final plat shall reflect the following statement:

“Nonconforming structures have not been created by this subdivision.”

Advisories:

- 46. The subject property lies on S Main Street which is identified as a thoroughfare needing improvement in the 2045 Metropolitan Transportation Plan. There are no constructions/improvements planned and the subject property will have no impact on the Transportation Plan. For questions related to this comment, please contact Transportation Planning.
- 47. The applicant is advised to consult an expert on wetlands before proceeding with any development.
- 48. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.
- 49. This conditional approval is not to be construed as all-encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.
- 50. The US Postal Service most likely will require this development to have centralized cluster boxes for postal service to each lot or unit. The developer is advised contact the US Postal Growth Coordinator for the Mid-Carolinas District to determine the appropriate location for the cluster boxes. If the cluster box location requires changes to the subdivision or site plan, a revised preliminary/plan must be submitted to the Planning & Inspections Department for review and approval.

If you need clarification of any conditions, please contact Betty Lynd at 910-678-7605 or Edward Byrne at 910-678-7609; otherwise, contact the appropriate agency at the contact numbers below.

Contact Information (Area Code is 910 unless otherwise stated):

Current Planning Manager:	Betty Lynd	678-7605	blynd@co.cumberland.nc.us
Subdivision/Site Plan/Plat	Ed Byrne	678-7609	ebyrne@co.cumberland.nc.us
PWC:	Joe Glass	223-4740	joe.glass@faypwc.com
	Sam Powers	223-4370	sam.powers@faypwc.com
Town of Hope Mills:		424-4555*	
Town Clerk:	Jane Starling		jstarling@townofhopemills.com
Planner – Zoning Permits	Chancer McLaughlin		cmclaughlin@townofhopemills.com
Chief Building Inspector:	David Reeves		dreeves@townofhopemills.com
Stormwater/Flood Administrator:	Beth Brown		eabrown@townofhopemills.com
Zoning Inspector:	Chancer McLaughlin		cmclaughlin@townofhopemills.com
Fire Marshal	Brett A. Ham		baham@townofhopemills.com
Public Works – Streets/sidewalks	Don Sisko		dsisko@townofhopemills.com
US Postal Service	Jonathan R. Wallace	(704) 393-4412	jonathan.r.wallace@usps.gov
Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	hair@usacr.army.mil
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	leland.cottrell@ncdenr.gov
Location Services:			
Site-Specific Address:	Will Phipps	678-7616	wphipps@co.cumberland.nc.us
Street Naming/Signs:	Diane Shelton	678-7665	dshelton@co.cumberland.nc.us
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	tlbaker@ncdot.gov
Transportation Planning:	Katrina Evans	678 7614	kevans@co.cumberland.nc.us
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	annette.lucas@ncdenr.gov

*This is the main telephone number for the Town of Hope Mills; once connected, the caller will be directed to the various departments.

TO THE ZONING BOARD AND TOWN BOARD OF COMMISSIONERS OF HOPE MILLS, NC:

I (We), the undersigned, hereby submit this application, and petition the Hope Mills Commissioners to amend and to change the zoning map of the Town of Hope Mills as provided for under the provisions of the Hope Mills Zoning Ordinance. In support of this petition, as hereinafter requested, the following facts are submitted:

1. Applicant/Agent 4D Site Solutions, Inc - Scott Brown
2. Address: 409 Chicago Dr, Ste 112, Fayetteville, NC Zip Code 28306
3. Telephone: (Home) 910-489-6731 (Work) 910-426-6777
4. Location of Property: intersection of S. Main Street & Church Street
5. Parcel Identification Number (PIN #) of subject property: 0414-71-1087
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 3.45 Frontage: 828' Depth: 185'
7. Water Provider: PWC Septage Provider: PWC
8. Deed Book 9077, Page(s) 10, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: abandoned commercial
10. Proposed use(s) of the property: retail commercial

NOTE: Be specific and list all intended uses.

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes _____ No X
12. Has a violation been issued on this property? Yes _____ No X
13. It is requested that the foregoing property be rezoned FROM: C(1)P

TO: (Select one)

- X Conditional Zoning District, with an underlying zoning district of C(2)P
(Article V)
- _____ Mixed Use District/Conditional Zoning District (Article VI)
- _____ Planned Neighborhood District/Conditional Zoning District (Article VII)
- _____ Density Development/Conditional Zoning District, at the _____ Density

(Article VIII)

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

- A. List the use(s) proposed for the Conditional Zoning. (Use of the underlying district will be restricted only to the use(s) specified in this application if approved.)

Retail and any permitted use in the C2(P) district

- B. Density: List the amount of acreage that will be residential, commercial, and/or open space, and the number of lots and/or dwelling units proposed, and the square footage of the non-residential units.

Property will be subdivided into 2 commercial lots. One lot will have a 9,100 sf retail store. The use of the 2nd lot is undecided.

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 102A-1204 or list the proposed setbacks.

Setbacks for C(2)P will be honored

- B. Off-street parking and loading, Sec.102A-1301 & 102A-1303: List the number of spaces, type of surfacing material and any other pertinent information.

37-9'x20' parking spaces including 2 handicap spaces are proposed for the Dollar General in an asphalt parking lot with a concrete dumpster pad.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIV.

4. LANDSCAPE AND BUFFER REQUIREMENTS:

- A. For all new non-residential and mixed use development abutting a public street, indicate the number and type of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number and type of shrubs. [Sec. 102A-1202(n)]. **NOTE: All required landscaping must be included on the site plan.**

Yard space - 4 ornamental trees & 40 shrubs

Street scape - 11 large street

Parking area - 3 large trees

Tree list has been provided and shown on the attached site plan.

- B. Indicate the type of buffering and approximate location, width and setback from the property lines. [Sec. 102A-1202(g)] **NOTE: All required buffers must be included on the site plan.**

A 10' buffer will be installed along the adjoining residential property line. The buffer is shown and labeled on the site plan. A 6' fence will be used to create the buffer.

5. MISCELLANEOUS:

List any information not set forth above, such as the days and hours of the operation, number of employees, exterior lighting, noise, odor and smoke, emission controls, etc.

Typical operating hours for the Dollar General are 7 am - 10 pm, 7 days a week. Exterior lighting is limited to the building and parking lot. The proposed use will generate no more noise than a typical retail store of similiar size with a parking lot.

6. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 102A-1502. If the proposed uses involve development subject to the Hope Mills Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the Subdivision Ordinance, the site plan must be of sufficient detail to allow the County Planning Staff, Hope Mills Review Committee, the Zoning Board and Board of Commissioners to analyze the proposed uses and arrangement of uses on the site. It also must include the footprints of all buildings (proposed and existing), the proposed number of stories, location and number of off-street parking and

loading spaces, proposed points of access to existing streets and internal circulation patterns. In addition, the location of all proposed buffers and fences and landscaping shall be included on the site plan.

7. STATEMENT OF ACKNOWLEDGMENT:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (rezoning) rest with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the County Planning Department a valid request within a complete application.

I further understand I must voluntarily agree to all ordinance related conditions prior to the first hearing on the case or any disagreement may be cause for an unfavorable recommendation. The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Richard Allen, Jr

NAME OF OWNER(S) (PRINT OR TYPE)

PO Box 1867, Fayetteville, NC 28302

ADDRESS OF OWNER(S)

boballenjr@fayblock.com

E-MAIL

910-988-9196

910-323-9198

HOME TELEPHONE

WORK TELEPHONE


SIGNATURE OF OWNER(S)


SIGNATURE OF OWNER(S)

4D Site Solutions, Inc - Scott Brown

NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

409 Chicago Drive, Suite 112, Fayetteville, NC 28306

ADDRESS OF AGENT, ATTORNEY, APPLICANT

910-489-6731

910-426-6777

HOME TELEPHONE

WORK TELEPHONE

sbrown@4dsitesolutions.com

910-426-5777

ALLEN, RICHARD R JR
P O DRAWER 1867
FAYETTEVILLE, NC 28302

BARDON, TYRONE J & SARAH
4104 MILL BRIDGE RD
HOPE MILLS, NC 28348

CARR, RICHARD E
004108 MILL BRIDGE RD
HOPE MILLS, NC 28348

CHURCH STREET APARTMENTS LLC
PO BOX 25640
FAYETTEVILLE, NC 28314

DITTMAN, BONNIE R HEIRS C/O TOWN
OF HOPE MILLS
5770 ROCKFISH RD
HOPE MILLS, NC 28348

FARRA, ELIZABETH ANN LIFE ESTATE
4112 MILL BRIDGE RD
HOPE MILLS, NC 28348

GILBERT, LUCILLE S
1310 GOODVIEW AVE
FAYETTEVILLE, NC 28305

GOINS, RICKY L & JOYCE S
4116 MILL BRIDGE RD
HOPE MILLS, NC 28348

HOLLOMAN, KENNETH & JILL
4093 S MAIN ST
HOPE MILLS, NC 28348

LAFAYETTE LEASING CORP
O P O BOX 1867 N/A
FAYETTEVILLE, NC 28302

LONG, JOHN W JR
4118 MILL BRIDGE RD
HOPE MILLS, NC 28348

MCMILLAN, DAVID B
PO BOX 218
PARKTON, NC 28371

SCOTT, STEPHEN E & KATHERINE B
4122 MILL BRIDGE RD
HOPE MILLS, NC 28348

THOMAS, DEDRIC
4110 MILL BRIDGE RD
HOPE MILLS, NC 28348

TOWN OF HOPE MILLS
5770 ROCKFISH RD
HOPE MILLS, NC 28348

WYNNE-HALL, VALERIE A & GEORGE
MCFARLEY
327 E LOCH HAVEN DR
FAYETTEVILLE, NC 28314

BAIN, JULIAN L & DARLENE M
2772 SCHOOL RD
HOPE MILLS, NC 28348

BLUE, WILLIAM ALEXANDER & TARA
NICHOLE
6139 SE 37TH LN
LACEY, WA 98503

BORIA, ENRIQUE & CHRISTINE V R
5329 CHURCH ST
HOPE MILLS, NC 28348

BROOKS, RICHARD S
5333 TORY HILL RD
HOPE MILLS, NC 28348

BRYAN FAMILY LIMITED PARTNERSHIP
PO BOX 53557
FAYETTEVILLE, NC 28305

BUCHANAN, MONICA D & DARRYL S
4243 PETE WARNER CT
HOPE MILLS, NC 28348

CARTER, TALANDA A
5325 CHURCH ST
HOPE MILLS, NC 28348

CORDOVA, STACEY GUY & OTTONIEL
ALVARADO
5330 TROY HILL RD
HOPE MILLS, NC 28348

CROCKETT, WILLIAM J & EMILY F
5335 TORY HILL RD
HOPE MILLS, NC 28348

CUMBERLAND COUNTY BD OF ED
PO BOX 2357
FAYETTEVILLE, NC 28302

DEES, FLOYD EDWARD
3578 BARBARY BLUFF
HOPE MILLS, NC 28348

DITTMAN, BONNIE R HEIRS C/O BRENDA
JERNIGAN
80 W PINE ST
LILLINGTON, NC 27546

DUKE ENERGY PROGRESS INC
419 FAYETTEVILLE ST
RALEIGH, NC 27601

DUKES, KRISTEN PONE & MARQUISE D
4239 PETE WARNER CT
HOPE MILLS, NC 28348

FOSTER, JAMES C & MARY S
4117 MILL BRIDGE RD
HOPE MILLS, NC 28348

GARCIA, MARCO
4379 CAMERON RD
HOPE MILLS, NC 28348

GARDNER, CHARLES T & JANET K
PO BOX 64076
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GAUL, THOMAS J
5407 GALES ST
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GRAYBILL, KEITH P & MARY J
5831 LAGU PL
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GREGORY, WALTER A & MILDRED B
4065 STONE ST
HOPE MILLS, NC 28348

HAIR, JERRY D & CYLINDA L
5441 GALES ST
HOPE MILLS, NC 28348

JACKSON, WILLIAM JAMES JR
4052 STONE ST
HOPE MILLS, NC 28348

KELLEY, TYRON L JR
4073 S MAIN ST
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KOWALCZYK, RICHARD R
5338 REPUBLIC AVE
HOPE MILLS, NC 28348

LAKEVIEW LOAN SERVICING LLC
4425 PONCE DE LEON BLV
CORAL GABLES, FL 33146

LENGYEL, THOMAS J & WIFE ANNA J
16981 BRISTOL RD
LEWIS, DE 19958

LOVICK, JEFFERY D & WIFE MICHELLE S
4231 PETE WARNER CT
HOPE MILLS, NC 28348

MILLER, ALTON L III & WIFE KATHY C
2877 DELAWARE DR
FAYETTEVILLE, NC 28304

MONTGOMERY, DONNA D & HUSBAND
ROGER
4105 MILL BRIDGE RD
HOPE MILLS, NC 28348

N C DEPT OF TRANSPORTATION
1546 MAIL SERVICE CTR
RALEIGH, NC 27699

Donna 3rd

NEAL, VANCE B & WIFE DOLORES A
109 PARKVIEW AVE
FAYETTEVILLE, NC 28305

NICHOLS, DANNY W & WIFE CYNTHIA T
4109 MILL BRIDGE RD
HOPE MILLS, NC 28348

PAOLIN, SONIA
4103 FREEDOM LN
HOPE MILLS, NC 28348

PARKER, ROBIN K
4113 MILL BRIDGE RD
HOPE MILLS, NC 28348

PRESSLEY, CARLA J & HUSBAND EDDIE
MCGIRT
5333 CHURCH ST
HOPE MILLS, NC 28348

RAY ROUSE CONST CO INC C/O LINDA
ROUSE
810 ASTRON LN, Unit/Apt 201
FAYETTEVILLE, NC 28314

REEVES, LILLIAN M
4235 PETE WARNER CT
HOPE MILLS, NC 28348

ROPER, NANCY G
4083 S MAIN ST
HOPE MILLS, NC 28348

ROSS, PATRICIA MESSINA
5341 CHURCH ST
HOPE MILLS, NC 28348

SANDERS, GARY CURTIS JR
4121 MILL BRIDGE RD
HOPE MILLS, NC 28348

SCOTT, TINA M
5328 TORY HILL RD
HOPE MILLS, NC 28348

SECRETARY OF VETERANS AFFAIRS
251 N MAIN ST
WINSTON-SALEM, NC 27155

SOTOMAYOR, JOSE L & ALEXIS SUAREZ
4138 PATRIOT PL
HOPE MILLS, NC 28348

SOUTH MAIN HOMEOWNERS
ASSOCIATION OF HOPE MILLS INC
PO BOX 87209
FAYETTEVILLE, NC 28304

SPIVEY, RONALD FRANKLIN
5329 TORY HILL RD
HOPE MILLS, NC 28348

STEVENS, BRANDON
5334 TORY HILL RD
HOPE MILLS, NC 28348

THOMPSON, ROBERT W & WANDA J
5404 PALM CIR
FAYETTEVILLE, NC 28304

VEGA, RUBEN & ADRIANA I RODRIGUEZ
2937 BRADY RD
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WILLIAMS, FRANKIE D JR & FELICIA E
5330 REPUBLIC AVE
HOPE MILLS, NC 28348

WOOLFORD, WENDELL
5807 COLD HARBOR CT
FAYETTEVILLE, NC 28304

YUSE, MARK ALEXANDER & WENDY
MARIE
1152 BRIAR PATCH LN
BURTON, MI 48529

PLANNING STAFF REPORT
REZONING CASE # P20-11
Planning Board Hearing: February 18, 2020

EXPLANATION OF THE REQUEST

This is a request to rezone one whole parcel and a portion of another parcel located on the south side of Clinton Road from RR Rural Residential to C2(P) Planned Service and Retail. This will allow the applicant to develop the property with any allowed use in the C2(P) district. This is a conventional rezoning and no conditions are proposed at this time.

OWNER/APPLICANT

OWNER/APPLICANT: David Allen on behalf of New Homes, Inc. (owner) and Scott Brown on behalf of 4D Site Solutions, Inc. (agent)

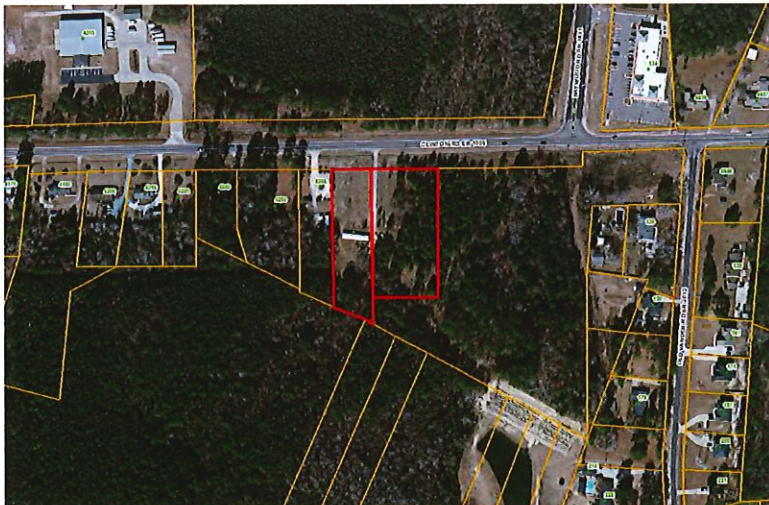
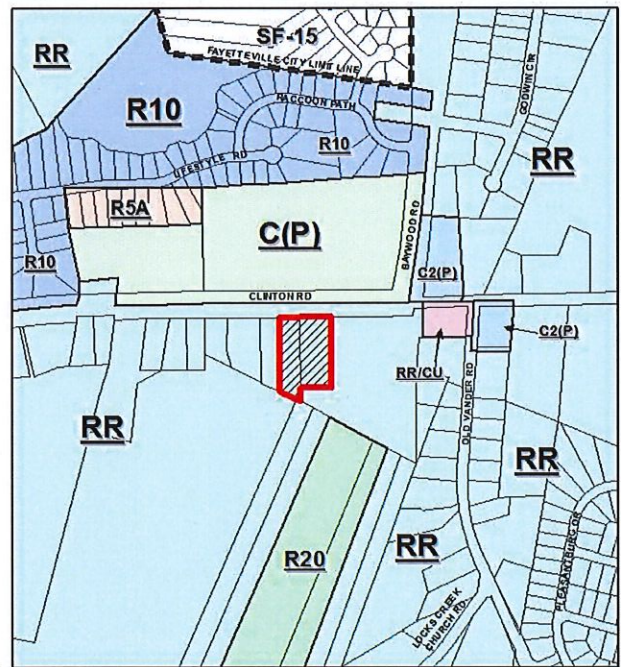
PROPERTY INFORMATION

ADDRESS/LOCATION: South side of Clinton Road, west of intersection with Baywood Road; more specifically PINs 0466-77-0900 & portion of 0466-77-4852

SIZE: This request includes one parcel and a portion of another totaling approximately 2.70 acres. The properties have approximately 280' of street frontage along Clinton Road and is 379' +/- in depth.

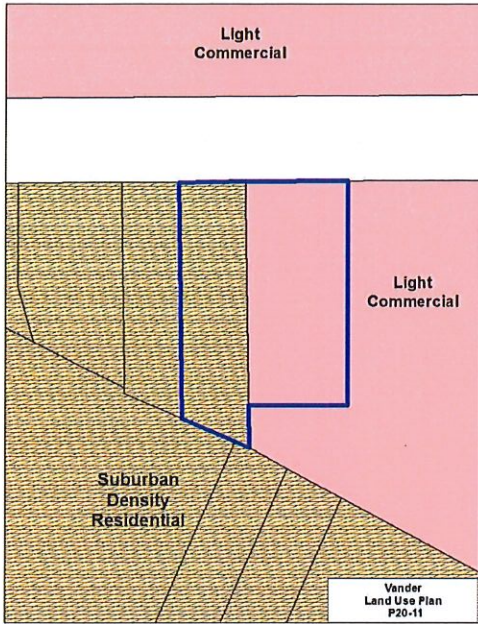
EXISTING LAND USE: One parcel of the subject property is currently developed with a manufactured home. The other parcel is vacant.

OTHER SITE CHARACTERISTICS: The properties are not located within the watershed or the Special Flood Hazard Area. There are hydric soils (TR- Torhunta and Lynn Haven soils & Wo- Woodington loamy sand) located on the properties.



MUNICIPAL INFLUENCE AREA: The property is within the Fayetteville MIA. Comments were requested via e-mail from City Planning, however none were received.

DEVELOPMENT REVIEW: PIN 0466-77-0900 was platted on 1-21-1997 in Plat Book 93 Page 109. The other tract is currently over 10 acres. Prior to development, a recombination and site plan review will be required.



SURROUNDING LAND USE: There are residential uses in the surrounding area of the subject properties. A public utility substation and urgent care are developed adjacent to the properties. There is also an insulation company and shopping center in the surrounding area.

ZONING HISTORY: This property was initially zoned RR as part of the Area 8 initial zoning on April 26, 1979.

UTILITIES: This site is currently served by PWC water and sewer. These properties are not located in any water/sewer district.

MINIMUM YARD SETBACKS: If approved, this parcel would be subject to C2(P) setbacks: Front yard: 50 foot, Side yard: 30 foot, Rear yard: 30 foot.

COMPREHENSIVE PLANS: The 2030 Growth Vision Plan designates these parcels for "Urban Fringe". "Urban Fringe" includes parts of the county that are likely to reach a level of development requiring urban services. The Vander Land Use Plan (2017) designates these parcels for "Suburban Density Residential" and "Light Commercial". "Suburban Density Residential" allows a maximum density of 2.2 units per acre and

requires public water. "Light Commercial" caters to the ordinary needs of the immediate neighborhood with emphasis on convenient goods and services. **Request is plan compliant.**

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: This portion of Clinton Road is identified as an existing freeway in the 2045 Metropolitan Transportation Plan. There are no constructions/improvements planned and the subject properties will have no impact on the Transportation Plan. The Average Daily Traffic Count (2018) on SR 1006 (Clinton Rd) is 6,100.

SCHOOLS: Comments requested via e-mail. None received.

ECONOMIC DEVELOPMENT: Comments requested via e-mail. None received.

EMERGENCY SERVICES: This request has been reviewed by the Cumberland County Fire Marshal's Office. The County Fire Marshal stated that building plans should be submitted for new projects and that all fire department access requirements must be met.

FAYETTEVILLE REGIONAL AIRPORT: This property is not within the Airport Overlay District.

STAFF RECOMMENDATION

In Case P20-11, the Planning and Inspections staff **recommend approval** of the rezoning from RR Rural Residential to C2(P) Planned Service and Retail and find that the request is consistent with the text of the Vander Land Use Plan (2017) which recommends allowing small concentrated commercial areas to serve the immediate needs of the residents. Staff further finds approval of the request is reasonable and in the public interest because the subject property is currently served by public water and sewer, Clinton Road is classified as an existing freeway in the 2045 Metropolitan Transportation Plan, and the district request is in harmony with adjacent, existing zoning.

Attachments:
 Zoning Application
 Notification Mailing List

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

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

1. Requested Rezoning from RR to C2(P)
2. Address of Property to be Rezoned: 4310 Clinton Road
3. Location of Property: south side of Clinton Rd near intersection with Baywood Rd
4. Parcel Identification Number (PIN #) of subject property: 0466-77-0900 & 0466-77-4852
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 2.4 ac Frontage: 280' Depth: 379' *Portion of pin 0466-77-4852*
6. Water Provider: Well: _____ PWC: X Other (name): _____ *Am*
7. Septage Provider: Septic Tank X PWC _____
8. Deed Book 9233 & 7751, Page(s) 536 & 835, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: mobile home on parcel 0466-77-0900 & remaining is wooded
10. Proposed use(s) of the property: retail store similiar to Dollar General and Family
11. Do you own any property adjacent to or across the street from this property?
Yes _____ No X If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No X

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must accompany the deeds and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application.

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

New Homes Inc / David M. Allen
NAME OF OWNER(S) (PRINT OR TYPE)

1220 Fort Bragg Road, Unit 204, Fayetteville, NC 28305
ADDRESS OF OWNER(S)


910-263-1050 (cell) 910-481-9922
HOME TELEPHONE # WORK TELEPHONE #

4D Site Solutions, Inc - Scott Brown, PE
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

409 Chicago Drive, Suite 112, Fayetteville, NC 28306
ADDRESS OF AGENT, ATTORNEY, APPLICANT

sbrown@4dsitesolutions.com
E-MAIL

910-489-6731 910-426-6777
HOME TELEPHONE # WORK TELEPHONE #


SIGNATURE OF OWNER(S) SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

Jaw & CW - Applicant
SIGNATURE OF OWNER(S)

The contents of this application, upon submission, become "public record."

BAYWOOD PROPERTIES LLC
468 NC 24-87 HWY
CAMERON, NC 28326

CANADY, JOHN L & JANICE B
3355 JURA DR
FAYETTEVILLE, NC 28303

CAROLINA TELEPHONE & TELEGRAPH CO
PO BOX 7909
OVERLAND PARK, KS 66207

DUKE ENERGY PROGRESS INC
PO BOX 1551
RALEIGH, NC 27602

EDGE, WILLIAM L & PEGGY
178 OLD VANDER RD
FAYETTEVILLE, NC 28312

LOCKLEAR, JANICE CHAVIS
114 HAMMOND ST
FAYETTEVILLE, NC 28312

NEW HOMES INC
1220 FORT BRAGG RD, Unit/Apt 204
FAYETTEVILLE, NC 28305

PURPLE PIRATE PROPERTIES LLC
1409 CLINTON RD
FAYETTEVILLE, NC 28305

RHINEHART, ANTHONY G & CATINA V
510 HUSKE ST
FAYETTEVILLE, NC 28305

RK3 LLC
1409 CLINTON RD
FAYETTEVILLE, NC 28312

SMITH, URSIE S
4335 SIDS MILL RD
FAYETTEVILLE, NC 28312

TETREAUULT, DONALD P & SHELBA B
150 OLD VANDER RD
FAYETTEVILLE, NC 28312

WILLIAMS, MICHAEL DEAN & MARY
WARREN
130 OLD VANDER RD
FAYETTEVILLE, NC 28312

BIRMINGHAM PROPERTIES LLC
1105 WILD PINE DR
FAYETTEVILLE, NC 28312

EDGE, TODD M & WIFE DEBORAH K
3536 MERLE CT
FAYETTEVILLE, NC 28312

GRISSOM, JOSEPH ARNOLD & WIFE
4216 CLINTON RD
FAYETTEVILLE, NC 28312

GRISSOM, SHARON MCCALL &
HUSBAND JOSEPH ARNOLD
4216 CLINTON RD
FAYETTEVILLE, NC 28312

NOWISKI, JESSICA & HUSBAND ADAM
4206 CLINTON RD
FAYETTEVILLE, NC 28312

PURAWOOD REAL ESTATE LLC
1105 WILD PINE DR
FAYETTEVILLE, NC 28312

PLANNING STAFF REPORT
REZONING CASE # P20-05
Planning Board Hearing: February 18, 2020

EXPLANATION OF THE REQUEST

This is a request to rezone one parcel located on the north side of Slocomb Road, from PND Planned Neighborhood District to RR Rural Residential. The PND district is a dormant district and properties zoned PND use the R7.5 Residential district standards. This request will allow the owner to place a manufactured home onto the property. This is a conventional rezoning and no conditions are proposed at this time.

OWNER/APPLICANT

OWNER/APPLICANT: James Blue Jr. (owner) & George R. Blue (agent)

PROPERTY INFORMATION

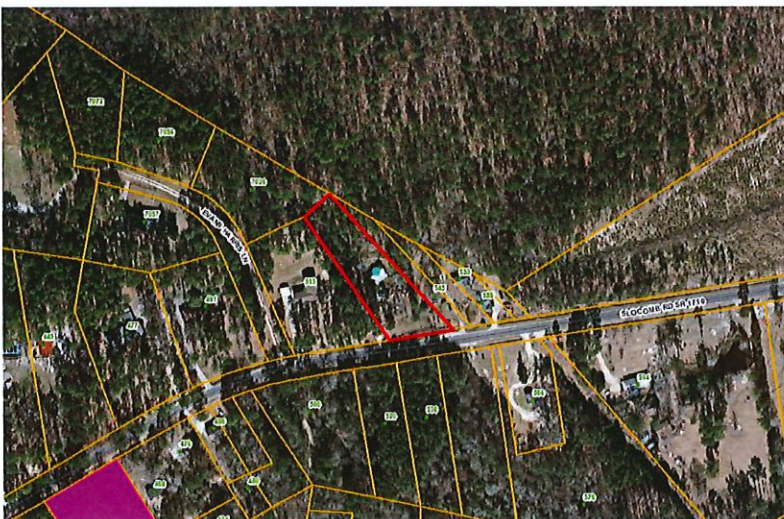
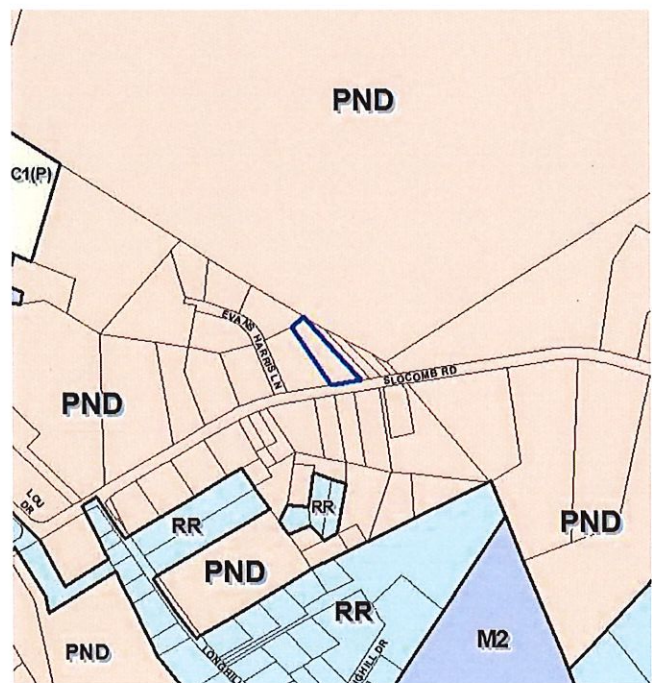
ADDRESS/LOCATION: 533 Slocomb Road; more specifically PIN 0542-51-8553

SIZE: This request includes one parcel totaling approximately 1.10 acres. The property has approximately 154' of street frontage along Slocomb Road and is 397'+/- in depth.

EXISTING LAND USE: The subject property is currently developed with a single-family dwelling unit.

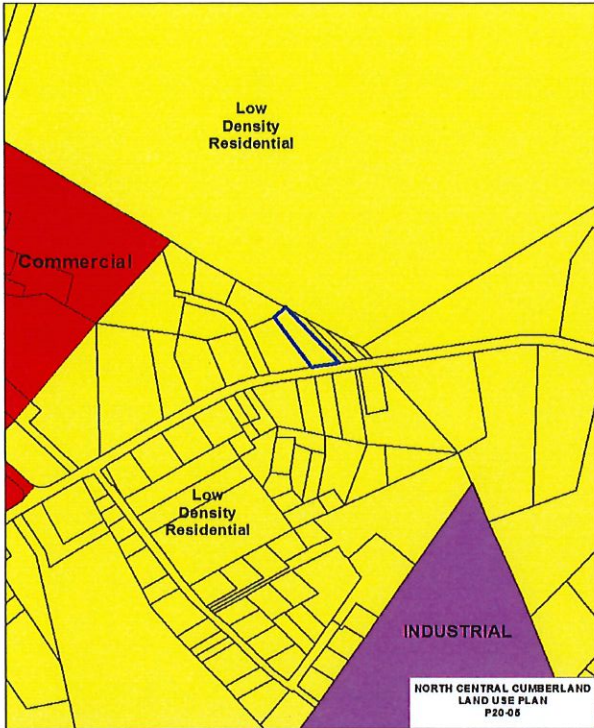
OTHER SITE CHARACTERISTICS: The property is not within the watershed or Special Flood Hazard Area. There are no soil limitations to development on this site.

MUNICIPAL INFLUENCE AREA: This property is within the Fayetteville MIA. Comments were requested via e-mail from City Planning; however, none were received.



SURROUNDING LAND USE: There are residential uses surrounding the subject property; primarily stick-built homes. A religious worship facility is developed south of the subject property.

DEVELOPMENT REVIEW: This property is a legal lot created prior to 8-22-1984. A group development review is required for any proposed second dwelling unit.



ZONING HISTORY: This property was initially zoned PND as part of the Area 1 initial zoning on August 21, 1972.

UTILITIES: This site is currently served by PWC water. The property is within the Kelly Hills/Slocomb Road Water and Sewer District and the existing structure is currently connected to the sewer line.

MINIMUM YARD SETBACKS: If approved, this parcel would be subject to RR setbacks: Front yard: 30 foot, Side yard: 15 foot, Rear yard: 35 foot.

COMPREHENSIVE PLANS: The 2030 Growth Vision Plan designates this parcel for "Urban". The "Urban" designation includes land areas with full urban services available and should be a top priority for planning. The North Central Land Use Plan (2011) designates this parcel for "Low Density Residential". The "Low Density Residential" designation allows residential development with a density greater than 2.1 to 6 units per acre. **Request is not plan compliant.**

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: Slocomb Road is identified as an existing thoroughfare in the 2045 Metropolitan Transportation Plan. There are no constructions/improvements planned and the subject property will have no impact on the Transportation Plan. The Average Daily Traffic Count (2016) on SR 1710 (Slocomb Road) is 1,500.

SCHOOLS: Comments requested via e-mail. None received.

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and has no comment at this time.

EMERGENCY SERVICES: This request has been reviewed by the Cumberland County Fire Marshal's Office. The County Fire Marshall had no comment on any concerns at this time.

RLUAC: This property is within the 5-mile radius from Fort Bragg. RLUAC has reviewed the request and stated that the property is neither identified as critical or important to conserve in the Joint Land Use Study and contains no identified military impacts.

FAYETTEVILLE REGIONAL AIRPORT: This property is not within the Airport Overlay District.

STAFF RECOMMENDATION

In Case P20-05, the Planning and Inspections staff **recommends denial** of the rezoning request from PND Planned Neighborhood District to RR Rural Residential and find this request is not consistent with the North Central Land Use Plan (2011) which designates this parcel for "Low Density Residential". "Low Density Residential" calls for a density of greater than 2.1 to 6 units per acre. Denial of the request is also reasonable and in the public interest as the requested district of RR Rural Residential would allow uses that are not in harmony with the surrounding existing land uses of stick-built residential dwellings.

- Attachments:
 Zoning Application
 Notification Mailing List

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

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

1. Requested Rezoning from PND to RR
2. Address of Property to be Rezoned: 533 Solcom Rd - Fay, NC
3. Location of Property: Cravers Creek Township 18311
4. Parcel Identification Number (PIN #) of subject property: 0542-51-8553-
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 1.1 Frontage: 154 Depth: 358
6. Water Provider: Well: _____ PWC: Other (name): _____
7. Septage Provider: Septic Tank Kelly Hills PWC
8. Deed Book 2689, Page(s) 167, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: dwelling
10. Proposed use(s) of the property: dwelling
11. Do you own any property adjacent to or across the street from this property?
Yes _____ No If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must accompany the deeds and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application.

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

James Blue Jr
NAME OF OWNER(S) (PRINT OR TYPE)

4515 Ruby Rd - Fayetteville, NC
ADDRESS OF OWNER(S)

910-491-3674 HOME TELEPHONE # WORK TELEPHONE #

George R. Blue
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

533 Solcom Rd. Fayetteville NC 28311
ADDRESS OF AGENT, ATTORNEY, APPLICANT

N/A
E-MAIL

910-491-0124 HOME TELEPHONE # WORK TELEPHONE # N/A

James Blue Jr SIGNATURE OF OWNER(S) George R. Blue SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

N/A
SIGNATURE OF OWNER(S)

The contents of this application, upon submission, become "public record."

BLUE, JAMES JR
4515 RUBY RD
FAYETTEVILLE, NC 28311

FARMER, DWAYNE & PAMELA E
548 HILLIARD DR
FAYETTEVILLE, NC 28311

HARRIS, JAMES & SHIRLEY
7073 EVANS HARRIS LN
FAYETTEVILLE, NC 28311

K&JS PROPERTIES LLC & TPGM
PROPERTIES LLC
PO BOX 53729
FAYETTEVILLE, NC 28305

MELVIN, RUDOLPH L, ANNIE D
LAMBRIGHT & EDISON MCLEAN
237 OAKLAND ST, Unit/Apt 505
TRENTON, NJ 08618

OLSEN, PETER
513 SLOCOMB
FAYETTEVILLE, NC 28311

REID, FRANKLIN T
442 OLD WILMINGTON RD
FAYETTEVILLE, NC 28301

TURNIP INVESTMENTS LLC
PO BOX 31354
CHARLOTTE, NC 28231

ALFORD, C C
496 SLOCOMB RD
FAYETTEVILLE, NC 28311

ATKINS, THOMAS DEQUINCEY
793 MCDUGALD RD
LILLINGTON, NC 27546

BULLARD, REESE & PATSY
8227 GALWOOD DR
LINDEN, NC 28356

CAPE FEAR RIVER HOLDINGS LLC
505 FORSYTHE ST
FAYETTEVILLE, NC 28304

CONARD, MARYIN E
640 SLOCOMB RD
FAYETTEVILLE, NC 28311

CUMB CO SHRINE CLUB HOLDING CO
PO BOX 556
FAYETTEVILLE, NC 28302

ELIOTT, JAMES D
445 SLOCUMB RD
FAYETTEVILLE, NC 28311

ELLIOTT, JOHN EARL
301 LONGHILL DR
FAYETTEVILLE, NC 28311

ELLIOTT, WILBERT LEE JR
217 LONG HILL DR
FAYETTEVILLE, NC 28311

ENNETT, REGINALD & KATHIA E
423 LONGHILL DR
FAYETTEVILLE, NC 28311

EVANS, CHARLES & SHIRLEY
7057 EVANS HARRIS LN
FAYETTEVILLE, NC 28311

FLEMING, VALERIA
477 SLOCOMB RD
FAYETTEVILLE, NC 28311

FOSTER, CONSTANCE R
488 SLOCOMB RD
FAYETTEVILLE, NC 28311

FRANKLIN, LEONARD JR & CELESTINE
GAIL DAVIS-FRANKLIN
235 SHARPSBURG RD
FAYETTEVILLE, NC 28311

HINES, G & C/O DONNA PROCTOR
2017 TRINITY AVE
BARSTOW, CA 92311

HINES, G G C/O DONNA PROCTOR
2017 TRINITY AVE
BARSTOW, CA 92311

HINES, VELMA
3225 ALDERPOINT LN
CHARLOTTE, NC 28262

JOHNSON, JAMAUL & JACINTA
1384 JOSSIE ST
FAYETTEVILLE, NC 28311

LAMBRIGHT, VERONICA ANN
181 WALTON HEALTH DR
RAEFORD, NC 28376

LANE, ARTHUR L
PO BOX 675
FAYETTEVILLE, NC 28302

LESTER, ROY & SUNNY
605 SHAWCROFT RD
FAYETTEVILLE, NC 28311

LOFTIN, LEONZA & WILLIE E
491 SLOCOMB RD
FAYETTEVILLE, NC 28311

M M & T INVESTMENTS INC C/O L TED
MICHAUD
5330 MATT HAIR RD
FAYETTEVILLE, NC 28312

MCCLENDON, DONALD & SAMANTHA
492 SLOCOMB RD
FAYETTEVILLE, NC 28311

MCKETHAN, CALLIE
496 SLOCOMB RD
FAYETTEVILLE, NC 28311

MCLEAN, EDISON HEIRS C/O SHARON D
MCLEAN
333 BELLEVUE AVE, Unit/Apt 5B
TRENTON, NJ 08618

PENNIE, JOHN H
468 SLOCOMB RD
FAYETTEVILLE, NC 28311

PENNY, ROSIE LEE HEIRS C/O STACY
COLE
513 PARLIAMENT LN
NEWPORT NEWS, VA 23608

PERFECTING THE SAINTS MINISTRIES INC
PO BOX 9399
FAYETTEVILLE, NC 28311

SPENCE, REBECCA JOYNER C/O TOMMY
G MCKETHAN
3322 DECILLION RD
EASTOVER, NC 28312

WADE, MARION J & BEATRICE P &
RACHEL L
466 LONGHILL DR
FAYETTEVILLE, NC 28311

WHITE, BRIAN L
PO BOX 42220
CHARLOTTE, NC 28215

WHITE, JERRY L & DORIS M
245 LONGHILL DR
FAYETTEVILLE, NC 28311

WILLIAMS, AMOS
PO BOX 33116
FT LEWIS, WA 98433

WILLIAMS, LARRY
261 KINGS CREEK DR, Unit/Apt 104
FAYETTEVILLE, NC 28311

PLANNING STAFF REPORT
REZONING CASE # P20-07
Planning Board Hearing: February 18, 2020

EXPLANATION OF THE REQUEST

This is a request to rezone one parcel located on the north side of River Road, from A1 Agricultural & CD Conservancy District to A1 Agricultural. This request will remove the Conservancy District from the existing dwelling unit. This is a conventional rezoning and no conditions are proposed at this time.

OWNER/APPLICANT

OWNER/APPLICANT: Dora J. Welker (owner)

PROPERTY INFORMATION

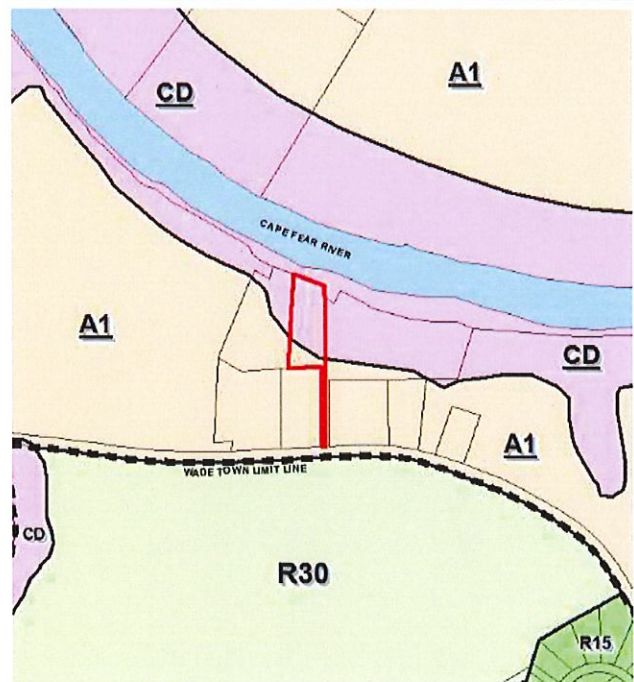
ADDRESS/LOCATION: 7369 River Road; more specifically PIN 0571-58-1286

SIZE: This request includes one parcel totaling approximately 2.15 acres. The property has approximately 20' of street frontage along River Road and is 461'+/- in depth.

EXISTING LAND USE: The subject property is currently developed with a manufactured home.

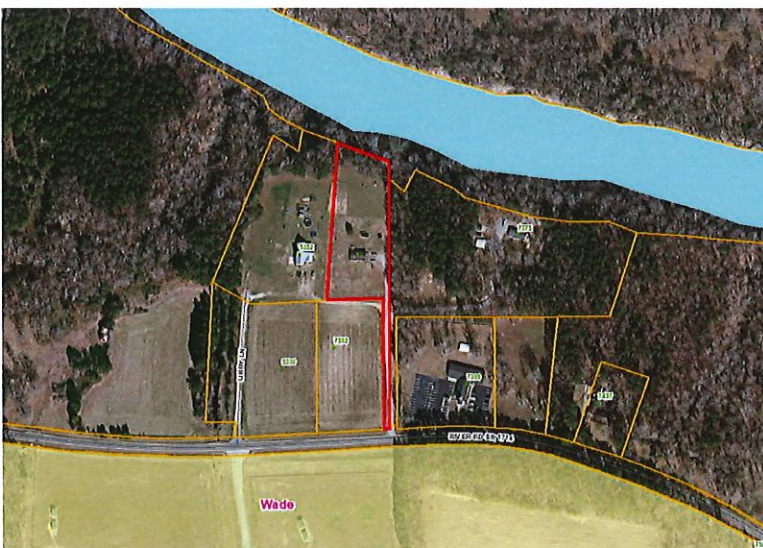
OTHER SITE CHARACTERISTICS: The property is located within the watershed and Special Flood Hazard Area. There are hydric inclusion soils on the property: WmB (Wickham fine sandy loam).

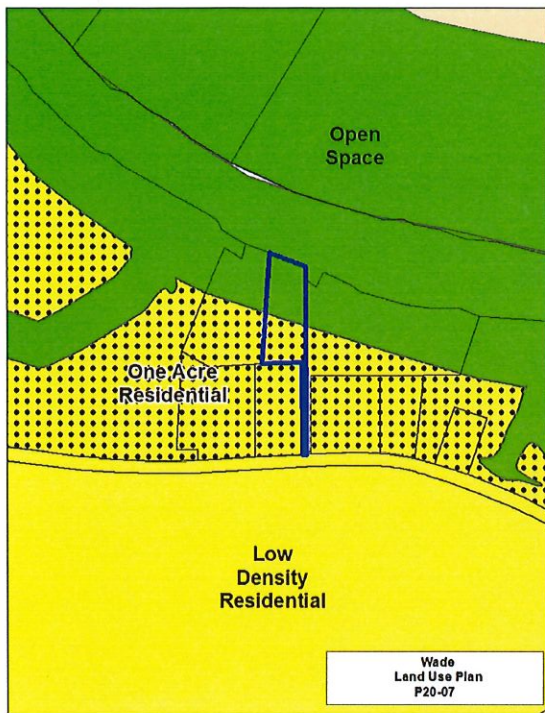
MUNICIPAL INFLUENCE AREA: This property is within the Wade MIA. The Town of Wade had no comment on the request.



SURROUNDING LAND USE: There are residential uses surrounding the subject property, including manufactured homes. A religious worship facility is developed to the east of the property.

DEVELOPMENT REVIEW: This property was platted on 7-2-19 and was reviewed as part of a subdivision (Case 19-023).





ZONING HISTORY: This property was initially zoned A1 & CD as part of the Area 18 initial zoning on October 24, 1990.

UTILITIES: This site is currently served by private well and septic. There are no public water or sewer lines available to the property. This property is not within a water/sewer district.

MINIMUM YARD SETBACKS: If approved, this parcel would be subject to A1 setbacks: Front yard: 50 foot, Side yard: 20 foot, Rear yard: 50 foot.

COMPREHENSIVE PLANS: The 2030 Growth Vision Plan designates this parcel for "Community Growth and Conservation Area". "Community Growth Areas" can be developed at a variety of densities and land use types to meet the housing, shopping and employment needs of the area residents. "Conservation Areas" protect the limited or irreplaceable natural areas. The Wade Land Use Plan (2004) designates this parcel for "1 Acre Residential" and "Open Space". **Request is plan compliant.**

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: River Road is identified as a thoroughfare needing improvement in the 2045 Metropolitan Transportation Plan. There are no constructions/improvements planned and the subject property will have no impact on the Transportation Improvement Plan. The Average Daily Traffic Count (2018) on SR 1714 (River Road) is 1,300.

SCHOOLS: Comments requested via e-mail. None received.

ECONOMIC DEVELOPMENT: Comments requested via e-mail. None received.

EMERGENCY SERVICES: This request has been reviewed by the Cumberland County Fire Marshal's Office. The County Fire Marshall had no comment on any concerns at this time.

FAYETTEVILLE REGIONAL AIRPORT: This property is not within the Airport Overlay District.

STAFF RECOMMENDATION

In Case P20-07, the Planning & Inspections staff **recommends denial** of the rezoning from A1 Agricultural & CD Conservancy District to A1 Agricultural and instead **recommend approval** of rezoning the properties to A1 Agricultural with CD Conservancy District remaining where the Special Flood Hazard Area (SFHA) and Floodway is located. Staff finds this recommendation consistent with the Wade Land Use Plan designation of "1 acre Residential" as the requested district will not increase density past that 1 acre threshold. Staff further finds approval of this recommendation is reasonable and in the public interest because the recommended zoning is in harmony with surrounding existing zoning while still providing protection to the Cape Fear River by leaving the CD zoning where the SFHA and Floodway exist.

Attachments:
 Zoning Application
 Notification Mailing List

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

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

1. Requested Rezoning from A1 / CD to A1
2. Address of Property to be Rezoned: 7369 River Rd Wade, NC 28395
3. Location of Property: LOT 2-D ON PLAT ENTITLED "PROPERTY OF DORA J. WELKER"
4. Parcel Identification Number (PIN #) of subject property: 0571-58-1286
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 2.15 Frontage: 20' Depth: 501.46
6. Water Provider: Well: PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank PWC _____
8. Deed Book 8581, Page(s) 253-254, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: HOME
10. Proposed use(s) of the property: HOME - SINGLE FAMILY DWELLING
11. Do you own any property adjacent to or across the street from this property?
Yes No _____ If yes, where? FRONT LOT 2-A
12. Has a violation been issued on this property? Yes _____ No

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must accompany the deeds and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application.

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

DORA J. WELKER
NAME OF OWNER(S) (PRINT OR TYPE)

5352 Libby Ln, PO Box 326 Wade NC 28395
ADDRESS OF OWNER(S)

910-984-7176 HOME TELEPHONE # 910-897-3943 WORK TELEPHONE #

SAME
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

ADDRESS OF AGENT, ATTORNEY, APPLICANT

dora.welker@yahoo.com or dwelker@concretepandp.com
E-MAIL

HOME TELEPHONE # WORK TELEPHONE #

Dora J. Welker
SIGNATURE OF OWNER(S) SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

The contents of this application, upon submission, become "public record."

DONOVAN E MCLAURIN CO INC
PO BOX 97
WADE, NC 28395

LRR LLC
PO BOX 527
NEWTON GROVE, NC 28366

MT OLIVE FREEWILL BAPTIST CH
TRUSTEES & MT OLIVE BAPTIST CH
PO BOX 395
WADE, NC 28395

THOMAS, JESSE LEE & SPOUSE MARY
BIVENS
5352 LIBBY LN
WADE, NC 28395

TOWNSEND, BENJAMIN A JR
PO BOX 525
WADE, NC 28395

WELKER, DORA JEANETTE
PO BOX 326
WADE, NC 28395

BULLARD, GEORGE EDMUND III & WIFE
RUBY WARREN
882 THREE WOOD DR
FAYETTEVILLE, NC 28312

MCLAURIN CO INC
PO BOX 97
WADE, NC 28395

ROSE, ARNOLD LEE & WIFE ANNETTE
8930 STEEPLECHASE DR
LINDEN, NC 28356

SOUTH, ROBERT P & WIFE ELAINE
PO BOX 274
WADE, NC 28395

PLANNING STAFF REPORT
REZONING CASE # P20-08
Planning Board Hearing: February 18, 2020

EXPLANATION OF THE REQUEST

This is a request to rezone one parcel located on the east side of US Hwy 301 S, from RR Rural Residential & C(P) Planned Commercial to RR Rural Residential. This request will allow the applicant to utilize an existing structure on the property as a dwelling unit. This is a conventional rezoning and no conditions are proposed at this time.

OWNER/APPLICANT

OWNER/APPLICANT: Deliverance Jesus Is Coming Victory Center, Inc. (owner)

PROPERTY INFORMATION

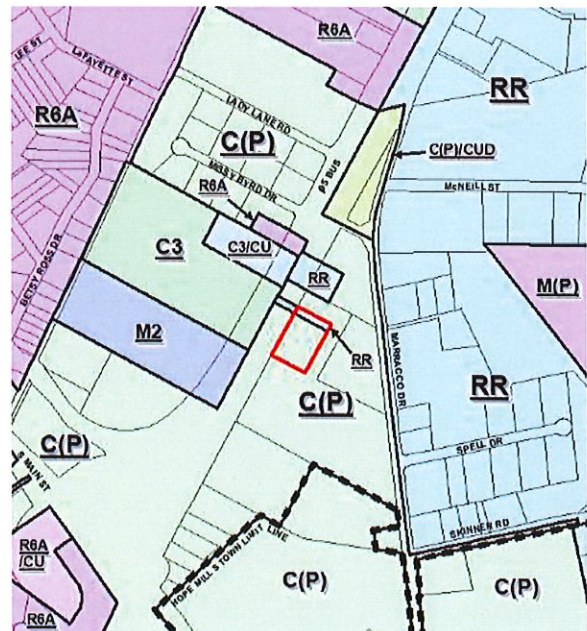
ADDRESS/LOCATION: 5087 US Hwy 301 S; more specifically
PIN 0423-16-7343

SIZE: This request includes one parcel totaling approximately 1.55 acres. The property has approximately 315' of street frontage along US Hwy 301 S and is 215'+/- in depth.

EXISTING LAND USE: The subject property is currently developed as a religious worship facility.

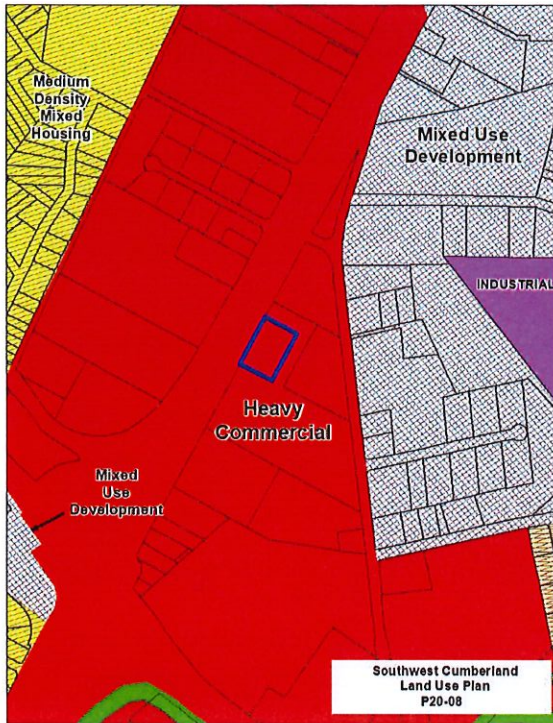
OTHER SITE CHARACTERISTICS: The property is not located within the watershed or the Special Flood Hazard Area. There are no soil limitations to development.

MUNICIPAL INFLUENCE AREA: This property is within the Hope Mills MIA. The Town of Hope Mills had no comment on the request.



SURROUNDING LAND USE: There are some residential uses surrounding the subject property, including manufactured homes. There are several non-residential uses around the property including trade contracting, food distribution, RV sales, and a trucking service.

DEVELOPMENT REVIEW: This property was created prior to 8-22-84 and went through a site plan review for the religious worship facility (Case 10-098). A revision will be required for the proposed dwelling unit.



ZONING HISTORY: This property was initially zoned RR & C(P) as part of the Area 13 initial zoning on June 25, 1980.

UTILITIES: This site is currently served by private well and septic. PWC water exists approximately 600 feet to the north. There is no public sewer line available. This property is not within a water/sewer district.

MINIMUM YARD SETBACKS: If approved, this parcel would be subject to RR setbacks: Front yard: 30 foot, Side yard: 15 foot, Rear yard: 35 foot.

COMPREHENSIVE PLANS: The 2030 Growth Vision Plan designates this parcel for "Urban Fringe". "Urban Fringe" describes areas that are likely to reach a level of development requiring urban services. The Southwest Cumberland Land Use Plan (2013) designates this parcel for "Heavy Commercial". "Heavy Commercial" areas provide for the shopping needs of the immediate community. **Request is not plan compliant.**

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: US Hwy 301 S is identified as an expressway needing improvement in the 2045 Metropolitan Transportation Plan with no constructions/improvements planned. The subject property will have no impact on the Transportation Improvement Plan. The Average Daily Traffic Count (2016) on I-95 Business is 14,000.

SCHOOLS: Comments requested via e-mail. None received.

ECONOMIC DEVELOPMENT: The Fayetteville Cumberland County Economic Development Corporation has reviewed the request and has no comment at this time.

EMERGENCY SERVICES: This request has been reviewed by the Cumberland County Fire Marshal's Office. The County Fire Marshall stated that all fire department access requirements must be met.

FAYETTEVILLE REGIONAL AIRPORT: This property is not within the Airport Overlay District.

STAFF RECOMMENDATION

In Case P20-08, the Planning & Inspections staff **recommends denial** of the rezoning from RR Rural Residential & C(P) Planned Commercial to RR Rural Residential and find the request is not consistent with the Southwest Cumberland Land Use Plan (2013) which calls for "Heavy Commercial" at this designation. Staff further finds denial of the rezoning is reasonable and in the public interest as the district requested is not in harmony with the surrounding existing land uses and existing zoning.

- Attachments:
 Zoning Application
 Notification Mailing List

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

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

1. Requested Rezoning from RA & CP to RR
2. Address of Property to be Rezoned: 5087 Hwy 301 South
3. Location of Property: _____
4. Parcel Identification Number (PIN #) of subject property: 0423-16-7343
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 1.55 Frontage: 315 Depth: 215
6. Water Provider: Well: PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank PWC _____
8. Deed Book 8190, Page(s) 119-121, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: CHURCH
10. Proposed use(s) of the property: CHURCH + RESIDENCE
11. Do you own any property adjacent to or across the street from this property?
Yes _____ No If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must accompany the deeds and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application.

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

DELIVERANCE Jesus Is Coming Victory Center, Inc. / CAROLYN HICK
NAME OF OWNER(S) (PRINT OR TYPE)

1687 BLADEN UNION CHURCH Rd, Fayetteville, NC 28306
ADDRESS OF OWNER(S)

910-568-1183
HOME TELEPHONE # WORK TELEPHONE #

NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

ADDRESS OF AGENT, ATTORNEY, APPLICANT

overseerhicks@aol.com
E-MAIL

HOME TELEPHONE # WORK TELEPHONE #

Carolyn L. Hick
SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

The contents of this application, upon submission, become "public record."

AUTRY, LARRY KENNETH TRUSTEE
PO BOX 368
HOPE MILLS, NC 28348

DELIVERANCE JESUS IS COMING
VICTORY CENTER INC
PO BOX 393
HOPE MILLS, NC 28348

HIGH FAMILY PROPERTIES LLC
605 LARKFIELD CT
FAYETTEVILLE, NC 28314

STORE MASTER FUNDING II LLC C/O
CAMPING WORLD RV SALES LLC
250 PARKWAY , Unit/Apt 270
LINCOLNSHIRE, IL 60069

BIGGER BROTHERS INC C/O TAX DEPT
PO BOX 29291
PHOENIX, AZ 85038

CAMPBELL, ANITA LOCKLEAR
5059 MARRACCO DR
HOPE MILLS, NC 28348

COTTON VOLUNTEER FIRE DEPT INC
PO BOX 129
HOPE MILLS, NC 28348

EBERHART, DONNA L
5111 MARRACCO DR, Unit/Apt 9B
HOPE MILLS, NC 28348

GOINS, EVA B LIFE ESTATE
5052 S US 301 HWY
HOPE MILLS, NC 28348

LOFLIN PROPERTIES LLC
175 S NC 49 HWY
ASHEBORO, NC 27203

MCARTHUR, ELLA H LIFE ESTATE
5034 S US 301 HWY
HOPE MILLS, NC 28348

MCDONALD, RANDY G & DONNA S
246 MCNEILL ST
HOPE MILLS, NC 28348

MILLER, JAMES N & PAMELA S
5021 MARRACCO DR
HOPE MILLS, NC 28348

MOORE, JASON DAN & BETHANY S
PO BOX 25068
RALEIGH, NC 27611

NELSON, MICHAEL N
4100 GRANDFORD RD
FAYETTEVILLE, NC 28306

PLACE, GUY R & VICTORIA G
2042 IRONWOOD DR
FAYETTEVILLE, NC 28304

R&R MATERIAL & ASSETS LLC
PO BOX 447
HOPE MILLS, NC 28348

RIDDLE, JOSEPH P III & TRINA T
PO BOX 53729
FAYETTEVILLE, NC 28305

WD INVESTMENTS LLC
417 FOXWOOD DR
HOPE MILLS, NC 28348

WILSON TRUCKING CORP
PO BOX 200
FISHERVILLE, VA 22939