

**Charles C. Morris**  
Chair  
Town of Linden

**Donovan McLaurin**  
Vice-Chair  
Wade, Falcon & Godwin  
Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman



## **COUNTY of CUMBERLAND**

*Planning and Inspections Department*

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

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

### **TENTATIVE AGENDA**

**OCTOBER 18, 2005**

**7:00 p.m.**

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRALS
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. CONSENT ITEMS
  - A. APPROVAL OF THE MINUTES OF OCTOBER 4, 2005

#### **REZONING CASES**

- A. P05-70: INITIAL ZONING OF 8.88 ACRES TO R6A AND C(P), LOCATED EAST OF DUNN ROAD, NORTH OF OLIVE STREET, SUBMITTED BY THE TOWN OF WADE. (WADE)
- B. P05-78: REZONING OF A 1.51 ACRE PORTION OF A 34.92 ACRE TRACT FROM R10/CU TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT THE SOUTHWEST QUADRANT OF NC HWY 87 SOUTH AND DOC BENNETT ROAD, SUBMITTED BY TERRI J. HART, OWNED BY CARRIAGE CROSSING, INC.

#### **CONDITIONAL USE DISTRICT AND PERMIT**

- A. P05-77: REZONING OF 46.26 ACRES FROM R10 TO A MIXED USE DEVELOPMENT/CONDITIONAL USE DISTRICT AND PERMIT, LOCATED SOUTH OF THE HOPE MILLS ROAD BYPASS, NORTH OF SYCAMORE DRIVE, SUBMITTED BY MATTHEW A. CRUMP, OWNED BY CROSSPOINTE CHURCH.

10/18/05 AGENDA CONTINUED

VII. PUBLIC HEARING ITEM

REZONING CASE

- A. P05-62: REZONING OF 24.20 ACRES FROM A1 TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTH OF CYPRESS LAKES ROAD, WEST OF SOUTH FORTY DRIVE, SUBMITTED BY JAMES A. MCLEAN III, OWNED BY FRANKLIN R. FOWLER

VIII. DISCUSSION

IX. FOR YOUR INFORMATION

- A. DIRECTOR'S UPDATE

X. ADJOURNMENT

**Charles C. Morris**  
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## MINUTES

OCTOBER 4, 2005

### Members Present

Mr. Charles Morris, Chair  
Mr. Donovan McLaurin, Vice-Chair  
Mr. Harvey Cain, Jr.  
Mr. Clifton McNeill  
Mr. Roy Turner  
Ms. Lori Epler  
Ms. Sara Piland

### Others Present

Ms. Nancy Roy, Director  
Mr. Tom Lloyd, Dep. Dir.  
Ms. Donna McFayden  
Ms. BJ Cashwell  
Ms. Annette Nunnery  
Mr. Grainger Barrett,  
County Attorney

### I. INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. McNeill delivered the invocation, and led those present in the Pledge of Allegiance. Chair Morris welcomed Ms. Sara Piland to the Board.

### II. APPROVAL OF/ADJUSTMENT TO AGENDA

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

### III. PUBLIC HEARING DEFERRALS

There were no public hearing deferrals.

### IV. ABSTENTIONS BY BOARD MEMBERS

Ms. Epler asked to abstain from voting on Case P05-150. The Board concurred with her request.

### V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

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

VI. CONSENT ITEMS

A. APPROVAL OF THE MINUTES OF SEPTEMBER 20, 2005

A motion was made by Mr. McLaurin and seconded by Mr. Cain to approve the Minutes of September 20, 2005 as written. The motion passed unanimously.

PLAT & PLAN

A. P05-150: SHEFFIELD FARMS ZERO LOT LINE SUBDIVISION REVIEW LOCATED ON THE WEST SIDE OF MUSCAT ROAD, SOUTHEAST OF BLACKS BRIDGE ROAD FOR A WAIVER FROM SECTION 3.17 "STREET DESIGN", CUMBERLAND COUNTY SUBDIVISION ORDINANCE.

**A motion was made by Mr. McNeill and seconded by Mr. McLaurin to follow the staff recommendation and approve the waiver. The motion passed unanimously. Ms. Epler abstained from voting on this matter.**

VII. PUBLIC HEARING ITEM

A. P05-79: REZONING OF FOUR PARCELS TOTALING 149.01 ACRES FROM A1 TO R40 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED SOUTH OF UNDERWOOD ROAD, EAST OF RIVER ROAD, SUBMITTED BY JOHN KOENIG, OWNED BY CATHERINE DOUGAN ARMITAGE, GILBERT M., SR. AND JANIE SMITH.

Mr. Lloyd presented maps and slides illustrating the zoning, land use, and soils in the area. Mr. Lloyd reported that the Planning Staff recommended denial of the R40 Residential District and approval of the R40 Residential District /CUD based on the following:

1. As zero lot line development is likely on the site due to soils and topography, a CUD would allow input from the citizens prior to approval of any development.

Mr. Lloyd reviewed the location of PWC utilities, as well as Eastover Sanitary District water and sewer lines. He informed the Board that Eastover would require connection to their system and explained that this would be addressed in a later public hearing.

The public hearing was opened.

Attorney Richard Wiggins appeared before the Board in favor of the request. He informed the Board that he was aware of the controversy generated by this case and that the Eastover group was in favor of the staff recommendation of

R40/CUD. Mr. Wiggins stated that Mr. Koenig's development plan appeared to be upscale and would hopefully be an asset to the Eastover community.

Mr. Benny Pearce appeared before the Board in favor of the request. Mr. Pearce had two main concerns to address. He requested that the Board consider the environmental impact on the area and that the Board ensure that developmental standards and regulations were enforced.

Mr. Don Price appeared before the Board in favor of the request. Mr. Price expressed his concern that the uniqueness of the Eastover area would be lost through development. He asked that development in the Eastover area be paced according to the availability of resources. He further requested that the Board consider the environmental impact of development in this area.

Mr. Morgan Johnson, Chairman of the Eastover Sanitary District, appeared before the Board in opposition to the request. He stated that his constituents were willing to accept the R40 zoning because it fell into the purview of the Land Use Plan. Their concern was that the rural atmosphere and character of the area would not be kept. Mr. Johnson expressed concern as to the Board's interpretation of what an R40 zoning entailed. He stated that upscale homes on 1-acre lots would be fine in the Eastover area. He repeated that his group was not against the R40 zoning but that they were against zero lot line development in the R40 zoning district.

Ms. Kim Fisher appeared before the Board in opposition to the request. She stated that she was in favor of the R40 zoning with restrictions. She clarified that when she signed up she wasn't sure if she was in favor of or in opposition to the request. Ms. Fisher was pleased that Mr. Koenig was following the Land Use Plan recommendations. She requested that the Board work to maintain the character of Eastover, take steps to control growth, and to promote air quality. She expressed her concern that the drainage problems in the Eastover area be addressed. Ms. Fisher requested that the County's best interests be taken into account and not just its pocketbook. She further requested that undeveloped land be preserved for future generations.

Lawrence Buffaloe appeared before the Board in opposition to the request. Mr. Buffaloe reiterated concerns about environmental protection, drainage, low-density housing, protection of the rural environment, and compliance with the Eastover Land Use Plan. He stated that he was in favor of R40/CUD. He requested clarification from the Board as to the difference between the traditional R40 and the recommended R40/CUD. Mr. Buffaloe asked how the Board would assure that developers follow the guidelines.

Mr. Lloyd stated that the development would be required to have a 40 foot buffer along the road. Also, only 60% of the land would be developed and 40% must be left undeveloped. The CUD allows the citizens to have input either for or against in a public hearing format. The developer will be held to the plan as presented. Mr. Lloyd stated that the density of the land would not change with zero lot line development or a CUD.

County Attorney Grainger Barrett addressed a question from the audience regarding the 40% undeveloped property and who was legally responsible for it. Mr. Barrett stated that it could be given to either a property owner's association or to a non-profit group to be maintained as open space. He stated that a third option would be to allow the land to continue to be farmed for a determined amount of time.

The public hearing was closed.

Ms. Piland asked for clarification regarding her understanding that once a property was approved at R40, then there was no further involvement from the Board or the community.

Mr. Lloyd stated that that was correct. The subdivision review process only involved staff unless a waiver was needed.

Chair Morris allowed Mr. Wiggins an opportunity to address the concerns. He stated that prime property would be preserved and left undeveloped.

Mr. McNeill asked Mr. Wiggins if a minimum lot size had been discussed with the developer. Mr. Wiggins stated that they had not gone forward with that yet.

Mr. McNeill asked whether or not the Eastover residents were in favor of R40 or not. When the case previously came before the County Commissioners they were not in favor of it, but tonight they did seem to be in favor of it. He asked for a show of hands of people who were in favor of R40. He further clarified that the difference between R40 and R40/CUD was the ability of the citizens to have input on the plan with a CUD.

Chair Morris stated that the new ordinance had been adopted with the CUD written to allow the Board the opportunity to preserve the rural environment and to meet the needs of the landowners. The Board feels that citizen input is extremely important as the area grows. The CUD will require a buffer which is very important.

Ms. Epler asked for clarification on her understanding that a CUD allows the Planning Board to oversee the development while a straight R40 does not.

Mr. Lloyd stated that she was correct.

**A motion was made by Chair Morris and seconded by Mr. McNeill to accept the staff recommendation to deny the R40 Residential District and to approve the R40 Residential District/CUD. The motion carried unanimously.**

## VIII. DISCUSSION

### A. LANDSCAPE REQUIREMENTS

Mr. McNeill presented and reviewed the Land Use Codes Committee recommendation of the “Cumberland County Landscape Requirements for New Non-Residential & Mixed Use Development”. He stated that the purpose of the plan was to promote beautification and to enable us to make progress on air quality requirements for Cumberland County.

The recommendation was accepted unanimously.

Ms. Roy stated that the plan would tentatively be presented at the October 17<sup>th</sup> Commissioner’s meeting.

IX. FOR YOUR INFORMATION

A. DIRECTOR’S UPDATE

Ms. Roy informed the Board of recent staff changes. She thanked Ms. BJ Cashwell for her work filling in with the Board and stated that BJ had been moved to the Administrative Coordinator position and would serve as the lead administrative person for the office. Annette Nunnery had been moved to the Administrative Support position and would serve the Planning Board.

Ms. Roy reminded the Board that the NC Conference will start on Wednesday, October 5<sup>th</sup>.

X. ADJOURNMENT

There being no further business, the meeting adjourned at 8:02 p.m.

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October 13, 2005

MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATIONS  
FOR OCTOBER 18, 2005

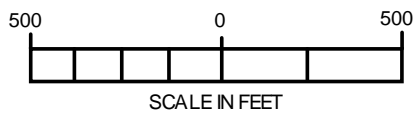
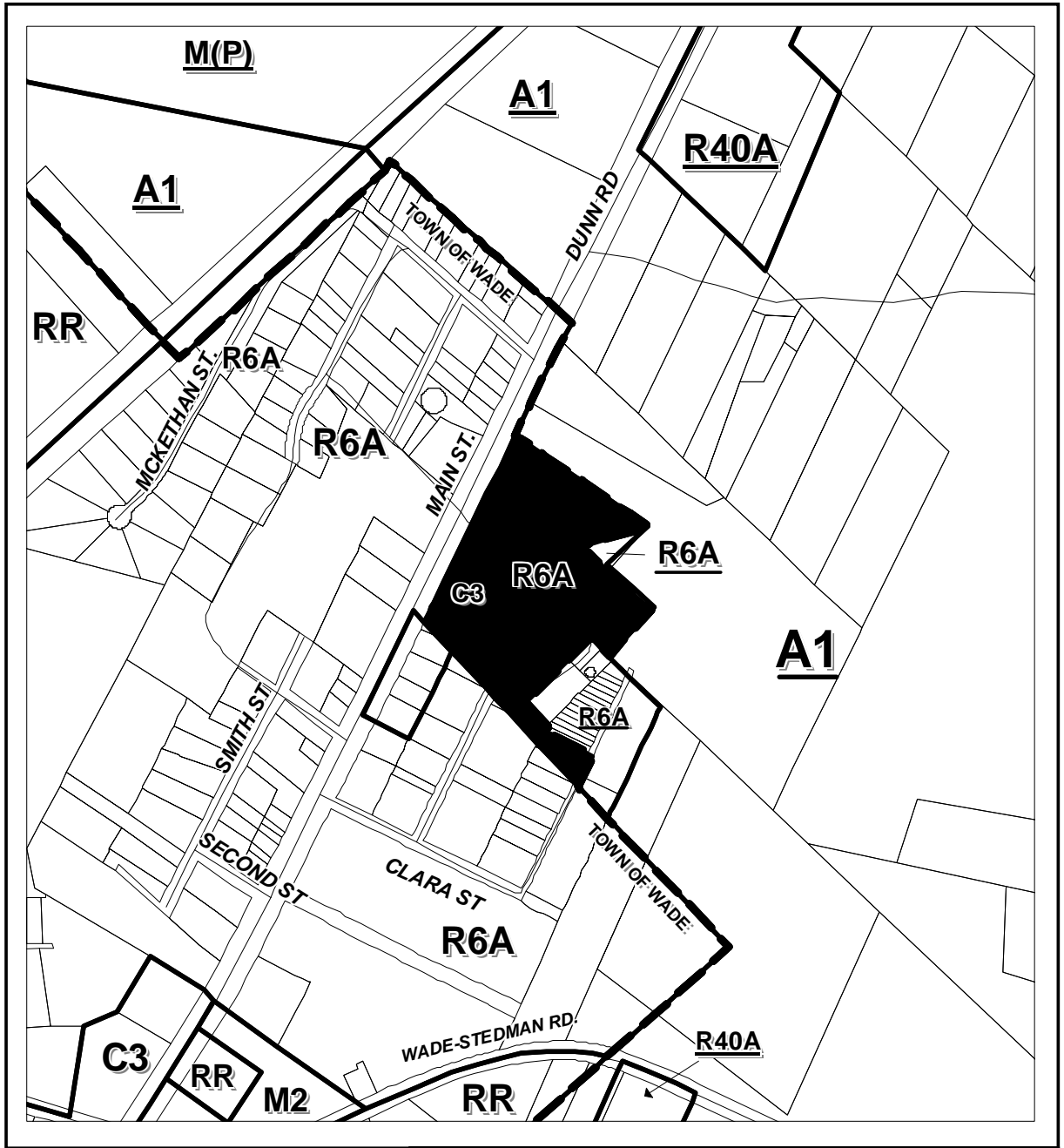
October 13, 2005

MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATIONS  
FOR OCTOBER 18, 2005

**P05-70:** INITIAL ZONING OF 8.88 ACRES TO R6A AND C(P), LOCATED EAST OF DUNN ROAD, NORTH OF OLIVE STREET, SUBMITTED BY THE TOWN OF WADE. (WADE)

The Planning staff recommends approval of R6A and C(P) based on the finding that R6A and C(P) is consistent with the previous County zoning.





## INITIAL ZONING: TO C(P) & R6A

ACREAGE: 8.88 AC.+/-

HEARING NO: P05-70

ORDINANCE: WADE

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD

PIN: 0581-25-2983,4805,5717,2842,1774,2698,4558,5500,5483,1526,2468,3423,3340,1394  
 PORT OF PIN: 0581-25-0431,9364,0289,2107,1092,3091,24-3966

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## **SITE PROFILE**

### **P05-70**

INITIAL ZONING OF 8.88 ACRES TO R6A AND C(P), LOCATED EAST OF DUNN ROAD, NORTH OF OLIVE STREET, SUBMITTED BY THE TOWN OF WADE.  
(WADE)

#### **Site Information:**

**Applicant/Owner:** TOWN OF WADE

**Area:** 8.88 acres

**Frontage & Location:** 681 feet on Main Street

**Depth:** 550 feet

**Jurisdiction:** Wade

**Current Use:** Residential and Commercial

**Initial Zoning:** November 25, 1980 (Area 14)

**Zoning Violation(s):** None

**Surrounding Zoning:** North-A1, R40A, R6A, M(P), East-A1, South-A1, RR, R6A, C3, M2, and West-A1, RR, R6A and C3

**Surrounding Land Use:** Churches (2), cemetery, vacant commercial, no name commercial, open storage of junk cars

**Wade Area Detailed Land Use Plan:** Medium Density Residential and Light Commercial

**Watershed Area:** Yes - a Watershed Review shall be required

**Urban Services Area:** Yes

**Water/Sewer Availability:** NORCRESS utilities

**School Capacity/Enrolled:** District 7 Elementary 267/249, Mac Williams Middle 1218/1124, Cape Fear High 1415/1511

**Subdivisions:** If rezoned, a Site Plan Review shall be required for any development.

**Military Impact Area:** No

**Highway Plan:** US 301/Dunn Road is identified as a Major Thoroughfare. The Plan calls for widening to a multi-lane facility. This is a Priority 3 in the Highway portion of the LRTP.

**Average Daily Traffic Count (2000):** 2,300 on Dunn Road

**Notes:**

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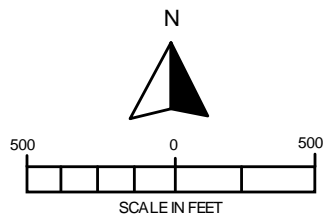
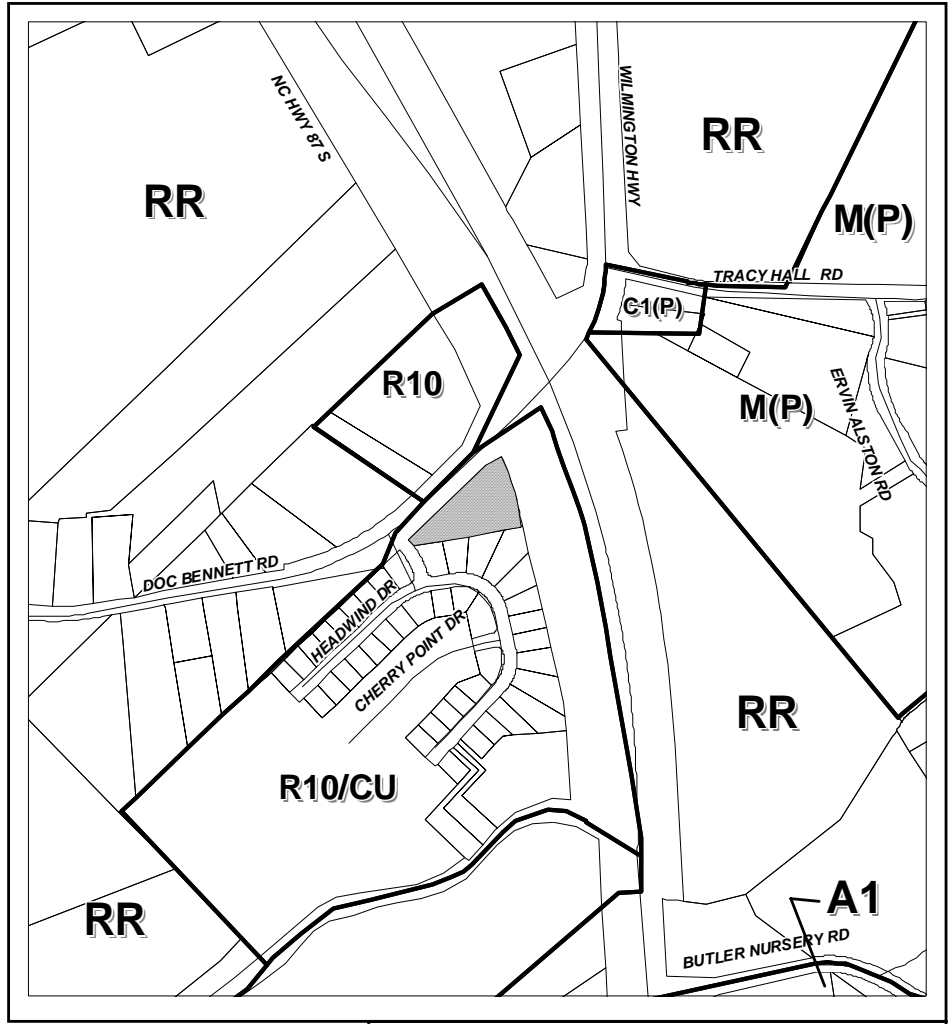
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MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
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FOR OCTOBER 18, 2005

**P05-78:** REZONING OF A 1.51 ACRE PORTION OF A 34.92 ACRE TRACT FROM R10/CU TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT THE SOUTHWEST QUADRANT OF NC HWY 87 SOUTH AND DOC BENNETT ROAD, SUBMITTED BY TERRI J. HART, OWNED BY CARRIAGE CROSSING, INC.

The Planning staff recommends approval of C(P) based on the finding that the nature and character of this area and intersection has changed since the adoption of the 2010 Land Use Plan with the widening of NC Hwy 87 South; widening and realignment of the Doc Bennett Road intersection with NC Hwy 87 South; and the addition of a signal light at the intersection.



<b>REQUESTED REZONING: R10/CU TO C(P)</b>		
<b>ACREAGE: 1.51 AC.+/-</b>	<b>HEARING NO: P05-78</b>	
<b>ORDINANCE: COUNTY</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>PLANNING BOARD</b>		

PORT. OF PIN: 0444-60-0346

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**SITE PROFILE**

**P05-78**

REZONING OF A 1.51 ACRE PORTION OF A 34.92 ACRE TRACT FROM R10/CU TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT THE SOUTHWEST QUADRANT OF NC HWY 87 SOUTH AND DOC BENNETT ROAD, SUBMITTED BY TERRI J. HART, OWNED BY CARRIAGE CROSSING, INC.

**Site Information:**

**Applicant/Owner:** TERRI J. HART / CARRIAGE CROSSING, INC.

**Area:** 1.51 acres

**Frontage & Location:** 400 feet on Doc Bennett Road

**Depth:** 150 feet

**Jurisdiction:** County

**Adjacent Property:** Yes

**Current Use:** Residential

**Initial Zoning:** March 15, 1979 (Area 6)

**Zoning Violation(s):** None

**Surrounding Zoning:** No

**Surrounding Land Use:** Single Family Residential

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

**Urban Services Area:** Yes

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

**School Capacity/Enrolled:** Cashwell Elementary 600/739, South View Middle 743/980, South View High 1715/1851

**Subdivisions:** If rezoned, a Site Plan approval shall be required for any development of this property.

**Military Impact Area:** No

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

**Average Daily Traffic Count (2000):** 1,200 on Doc Bennett Road, 17,000 on NC Hwy 87 South

**Notes:**

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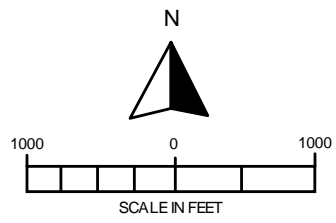
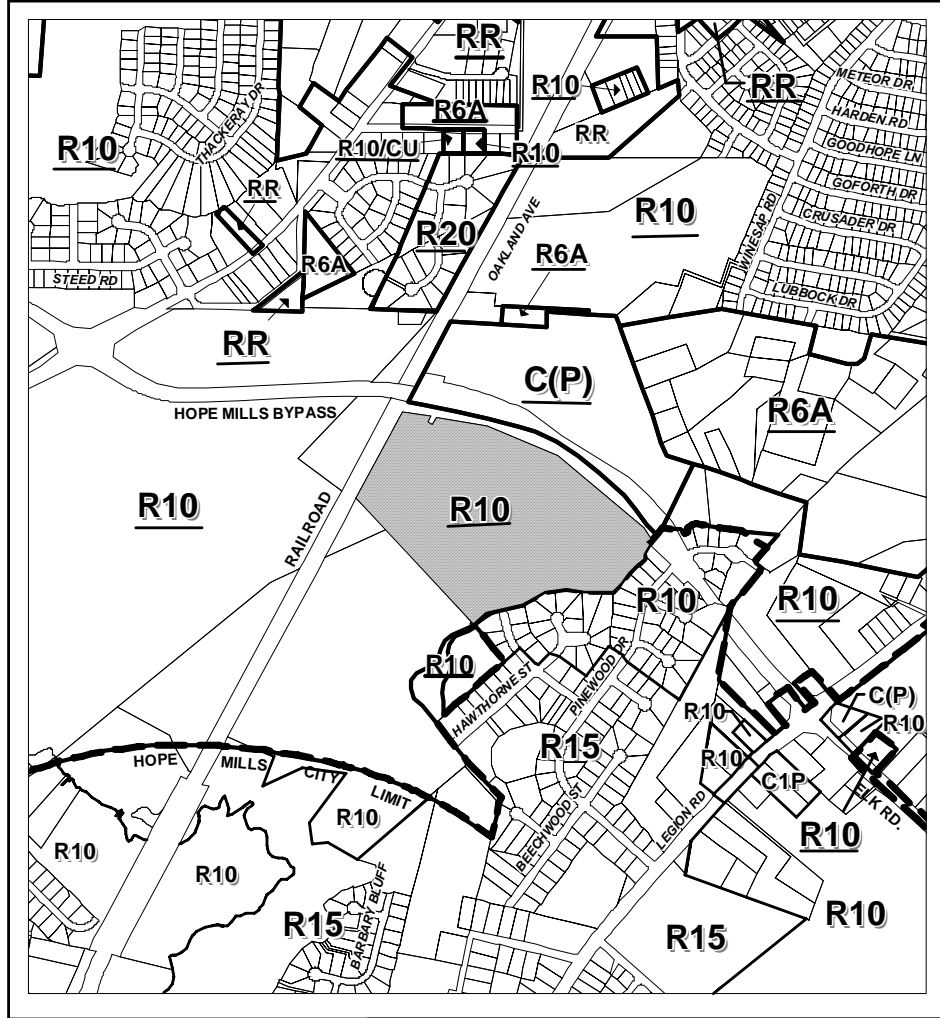
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**P05-77: REZONING OF 46.26 ACRES FROM R10 TO A MIXED USE DEVELOPMENT/CONDITIONAL USE DISTRICT AND PERMIT, LOCATED SOUTH OF THE HOPE MILLS ROAD BYPASS, NORTH OF SYCAMORE DRIVE, SUBMITTED BY MATTHEW A. CRUMP, OWNED BY CROSSPOINTE CHURCH.**

The Planning staff recommends approval of Mixed Use Development/CU based on the finding that the proposed development meets the purpose and intent statement of the newly adopted zoning ordinance.



## REQUESTED REZONING R10 TO R10MXD/CUD

ACREAGE: 46.26 AC. +/-		HEARING NO: P05-77	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0415-80-3461

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## SITE PROFILE

### P05-77

REZONING OF 46.26 ACRES FROM R10 TO A MIXED USE DEVELOPMENT/CONDITIONAL USE DISTRICT AND PERMIT, LOCATED SOUTH OF THE HOPE MILLS ROAD BYPASS, NORTH OF SYCAMORE DRIVE, SUBMITTED BY MATTHEW A. CRUMP, OWNED BY CROSSPOINTE CHURCH.

#### Site Information:

**Applicant/Owner:** MATTHEW A. CRUMP / CROSSPOINTE CHURCH

**Area:** 46.26 acres

**Frontage & Location:** 2,124 feet on Hope Mills Bypass

**Depth:** 1,200 feet

**Jurisdiction:** County

**Adjacent Property:** No

**Current Use:** Vacant

**Initial Zoning:** November 17, 1975 (Area 4)

**Zoning Violation(s):** None

**Surrounding Zoning:** North-RR, R20, R10, R10/CU, R6A, East-R10, R61, C(P), Hope Mills city limit, South-R10, city limit, and West-RR, R10, city limit

**Surrounding Land Use:** PWC lift station and single family residential

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

**Urban Services Area:** Yes

**Water/Sewer Availability:** PWC utilities available - extension will be required to serve the entire tract.

**School Capacity/Enrolled:** Baldwin Elementary 542/593, South View Middle 743/980, South View High 1715/1851

**Military Impact Area:** No

**Highway Plan:** Hope Mills Bypass is identified as a Major Thoroughfare. This is a multi-lane facility with a current 110 foot right-of-way. Road improvements are included in the 2006-2012 MTIP. Planning-completed, Design-completed, ROW Acquisition-completed, Construction-under construction

#### **Notes:**

##### Commercial Areas

16,200 sq.ft.	Retail Office
8,000 "	Entertainment Complex
10,800 "	Community Services Ctr
35,000 "	Total (.80 acres)

##### Residential Areas

37,800 sq.ft.	Senior Citizen Apts (50 units at 756 sq. ft each)
12,800 "	Teenage/Battered Women Apts (4 units at 800 sq ft each/bldg)
2,736 "	Caretaker House
1,200 "	Storage Buildings
54,536 "	Total (1.25 acres)

##### Religious Worship Activities



61,856 sq.ft.	Main Sanctuary (1,200 seats)
3,500 "	Administrative Bldg
15,000 "	Gymnasium
17,280 "	Daycare/Church (500 seats)
21,000 "	Shelter/Concession
118,636 "	Total (2.72 acres)

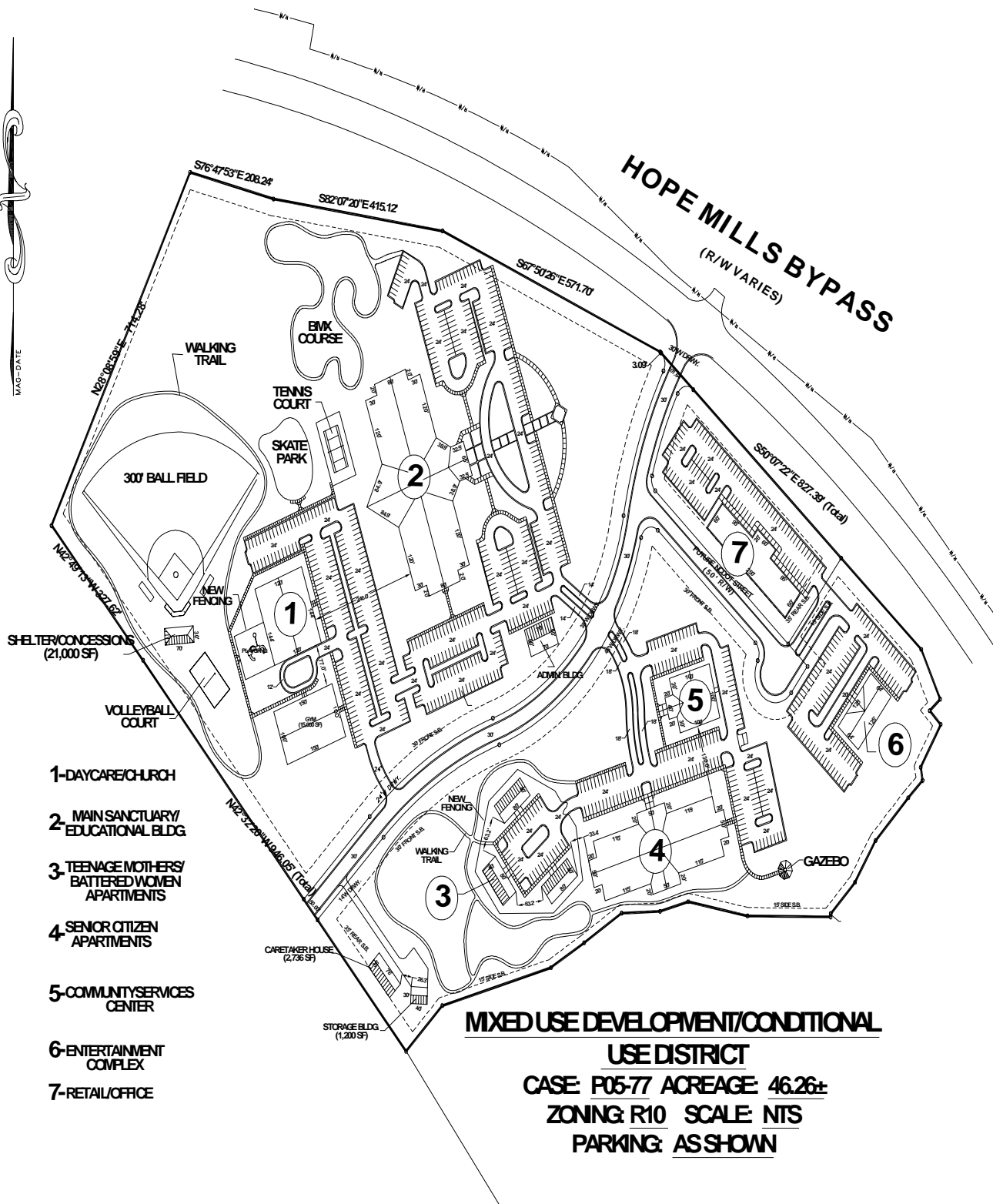
Minimum Conditions for Subdivision/Group Development Approval:

1. That the Public Works Commission approves water and sewer plans prior to application for any permits.
2. That applicant is advised that an expert on wetlands should be consulted before proceeding with any development.
3. That the owner(s)/developer(s) of these lots obtain detailed instructions on permits required to place a structure within this development from the Code Enforcement Section at 130 Gillespie Street, Room 106. The Code Enforcement Section will need a copy of this Approved Condition Sheet and map for additional information or the developer should call a Code Enforcement Officer at 321-6654.
4. That at a minimum a zoning permit is required prior to the placement of any structure on any portion of this development.
5. That no occupancy permit be issued until the Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.
6. That a site-specific address and tax parcel number be provided at the time of building/zoning permit application.
7. That the developer provides the County Code Enforcement Section with an approved state sedimentation and erosion control plan prior to any application for permits.
8. That the signage for this development be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) be obtained prior to the installation of any permanent signs on the property. Note: This conditional approval is **NOT** approval of the size, shape, or location of any signs.
9. That all uses and setbacks be compatible with those permitted and approved for the MXD/CUD zoning classification.
10. That all applicable portions of Section 3.20 "Lot Standards" and 3.21 "Group Development", of the County Subdivision Ordinance be complied with.
11. That the developer shall contact Diane Shelton at 678-7665 for street name approval prior to submission of the final plat for approval. (Note: The approved street name shall be reflected on the final plat.)

12. That street name signs, in compliance with the Cumberland County Street Sign Specifications, shall be installed prior to final plat approval. The developer is responsible for contacting 678-7665, once the street name sign(s) are installed, to schedule an inspection of said sign(s) and notice of a satisfactory inspection must be received by Land Use Codes prior to the approval of the final plat.
13. That Sections 4.1.c, "Curb and Gutters", 4.1.d, "Required Drainage", 4.1.e, and 4.3.g, "Fire Hydrants", and 4.3.h "Underground Utilities", of the Cumberland County Subdivision Ordinance must be adhered to.
14. That the final plat must be submitted to the Land Use Codes Section for review and approval for recording; and that the plat must be recorded prior to any permit application on any structure and/or prior to the sale of any lot or unit in this development.
15. That any/all easements appear on the final plat.
16. That all structures shall be shown on the final plat or that the final plat shall reflect the following statement:

"Nonconforming structures have not been created by this subdivision."
17. That notarized owners' signature(s) and certifications appear on the final plat prior to approval.
18. That the NC Department of Transportation approves street plans and that the street(s) be constructed to the N.C. Department of Transportation standards for secondary roads.
19. That the NC Department of Transportation stamp be affixed to the final plat prior to final plat approval by the Land Use Codes Section.
20. That the developer needs to obtain a driveway permit from the NC Department of Transportation.
21. Turn lanes may be required by NC Department of Transportation.
22. That a 10' x 70' sight distance easement shall be required at the intersection of the Hope Mills Bypass and the proposed right-of-way.
23. That a 25' right-of-way radius shall be required at all intersections.
24. That all lighting shall be directed internally to the property and shall meet the standards of Section 1102.M, Outdoor Lighting, Cumberland County Zoning Ordinance.
25. That a solid buffer in accordance with Section 1102.G., Cumberland County Zoning Ordinance, be complied with.

26. The developer shall submit two copies of a revised plan to the Land Use Codes Staff for approval showing the location of all dumpster, garbage, and utility areas prior to permits being issued.
27. That all dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
28. That all required parking spaces shall be a minimum of 9' X 20' and shall be surfaced and striped with a permanent material such as asphalt or concrete.
29. That off-street loading areas shall be provided in accordance with Section 1203, County Zoning Ordinance, and that a revised plan showing the required loading spaces shall be submitted to the Land Use Codes Section for approval prior to any permits being issued.
30. That the owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include insuring that the site is kept free of litter and debris, all grass areas mowed, all buffers and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing.
31. That the developer not be required to connect to the street stub shown as "Sycamore Drive" in the adjacent subdivision since this portion of the right-of-way is blocked and the developments are naturally separated by a creek.



**MIXED USE DEVELOPMENT/CONDITIONAL  
USE DISTRICT**  
**CASE: P05-77 ACREAGE: 46.26±**  
**ZONING: R10 SCALE: NTS**  
**PARKING: AS SHOWN**

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

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

The property sought for Conditional Use <sup>Mixed Use</sup> ~~Overlay~~ is located:

Address Hope Mills BY-PASS  
(Street address or Route and Box #, and Zip Code)

Located on \_\_\_\_\_  
(Name of Street/ Road, or General Directions to Site)

Parcel Identification Number 0415 - 80 - 3461 -  
(obtain from Tax Receipt or from Office of the Tax Administrator 678-7567)

Lot(s) # \_\_\_\_\_ Frontage 2170 feet Depth 1280 Containing 46.26 acres +/-

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

The property sought for Conditional Use is owned by: CrossPointe Church  
as evidenced by deed from \_\_\_\_\_

as recorded in Deed Book PLAT BOOK, Page(s) 32, Cumberland County Registry.

\*\*\*\*\*  
It is requested that the foregoing property be rezoned as Conditional Use <sup>Mixed Use</sup> ~~Overlay~~ District from RT10 to MXD Conditional Use.  
\*\*\*\*\*

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



Existing use of the property: Residential, commercial and specify structures and respective uses): RESIDENTIAL/COMMERCIAL VACANT

Water Provider (Existing or Proposed):

Well \_\_\_\_\_ PWC  Community Water \_\_\_\_\_ (Name)

Septage Disposal Provided by: Septic Tank \_\_\_\_\_ PWC

\*\*\*\*\*

**MAILING LIST**

The following are all of the individuals, firms or corporations owning property adjacent to this parcel considered for rezoning. Adjacent properties are those that abut this request on any SIDE, the REAR, or in FRONT of (directly across the street, road, highway, etc., property lines extended.)

**NOTE:** Information can be obtained from the Tax Mapping Office located on the 5<sup>th</sup> floor of the New County Courthouse. It is a provision of law that all adjacent property owners be notified of any public hearing regarding the requested rezoning of land.

NAME	ADDRESS (INCLUDING ZIP CODE)
SEE ATTACHED	



APPLICATION FOR  
CONDITIONAL USE OVERLAY DISTRICT

1. Proposed uses(s):

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

CHURCH & RETAIL → SMALL SHOPS

↓  
OUTREACH  
CAMPGROUND  
Family Activity Center

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

WE WILL PROVIDE ONE OF THE LARGEST CHURCH SITES IN CUMBERLAND COUNTY WITH YOUTH OUTREACH - DAY CARE - ASSISTED LIVING AND MANY FAMILY ENTERTAINMENT AREAS FOR CHURCH & NON-CHURCH MEMBERS

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

GROUND KEEPER  
WOMEN'S CENTER  
REHAB CENTER → SEE ATTACHED LAYOUT

2. Dimensional Requirements:

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

35 ft REAR LINE  
BYPASS 30 FT

B. Off-street parking and loading:

AS PER SITE PLAN



## 3. Sign Requirements:

A. Reference district sign regulations proposed from Section 9.4.

*As per Ordinance*

B. List any variance proposed from those regulations.

## 4. Miscellaneous:

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

*OFFICE HOURS 6am - 6pm M-F  
 WEEKEND HOURS VARY WITH CHURCH SCHEDULE  
 SUNDAYS 8am - 2pm VARIOUS EVENING SERVICES  
 24 hour security lighting  
 Buffering will be LAW ZONING ORDINANCE*

## 5. Site Plan Requirements:

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

*SEE ATTACHED 7 ACRES WILL REMAIN UNDEVELOPED*

## 6. Acknowledgement:

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



**Charles C. Morris**  
Chair  
Town of Linden

**Donovan McLaurin**  
Vice-Chair  
Wade, Falcon & Godwin  
Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman



## **COUNTY of CUMBERLAND**

*Planning and Inspections Department*

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

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

October 13, 2005

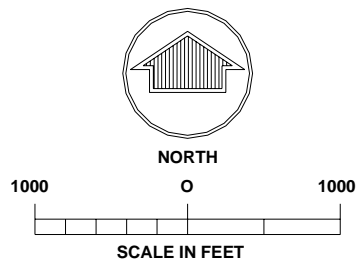
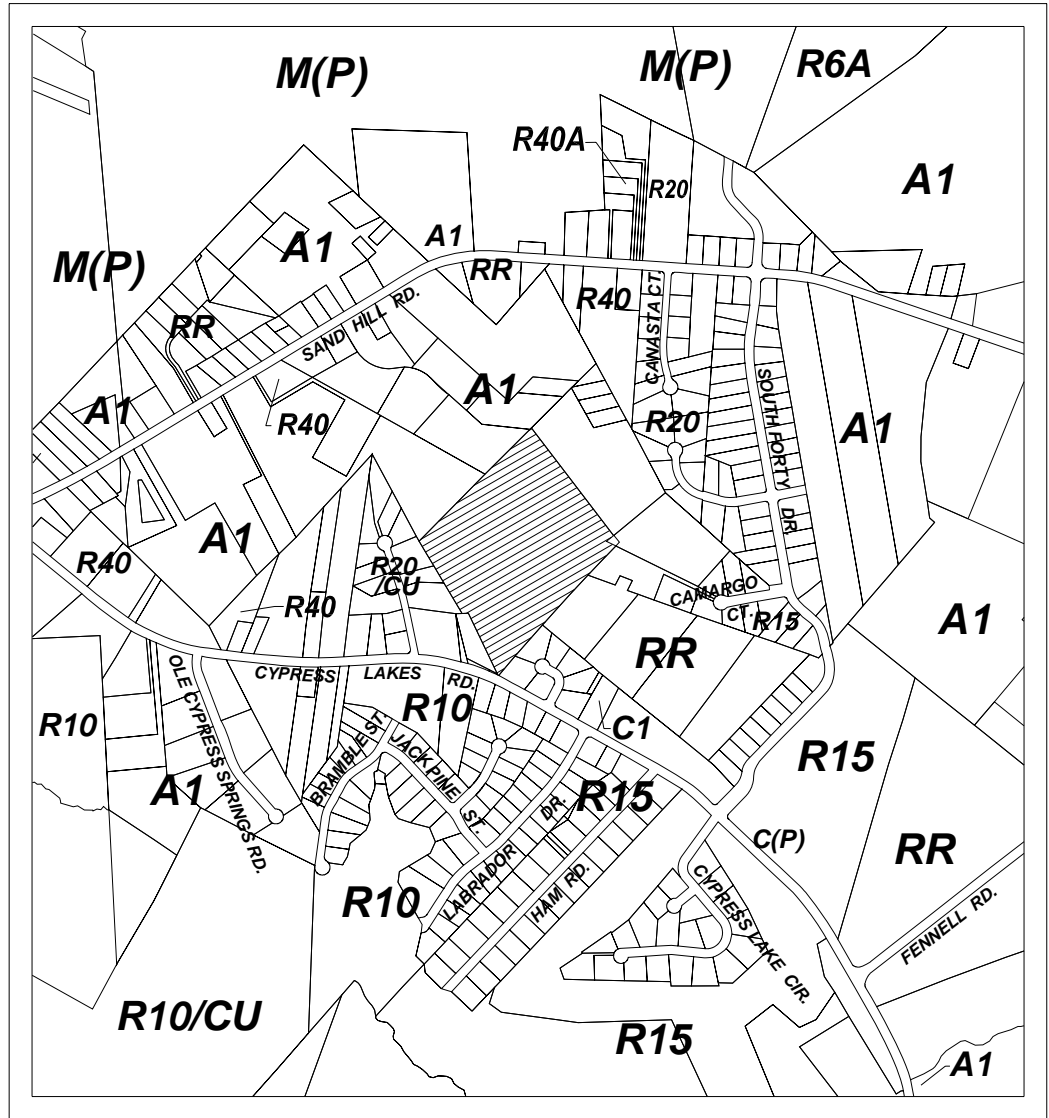
MEMO TO: PLANNING BOARD

FROM: PLANNING STAFF

SUBJECT: STAFF RECOMMENDATIONS  
FOR OCTOBER 18, 2005

**P05-62:** REZONING OF 24.20 ACRES FROM A1 TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTH OF CYPRESS LAKES ROAD, WEST OF SOUTH FORTY DRIVE, SUBMITTED BY JAMES A. MCLEAN III, OWNED BY FRANKLIN R. FOWLER.

The Planning staff recommends denial of R10 and approval of R20 based on the finding that the R20 District is in character with the current development in the immediate area.



<b>REQUESTED REZONING: A1 TO R10</b>		
<b>ACREAGE: 24.2 AC. ±</b>	<b>HEARING NO: P05-62</b>	
<b>ORDINANCE: COUNTY</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>PLANNING BOARD</b>		
<b>GOVERNING BOARD</b>		

PIN: 0433-40-3421

AF

**PROFILE**  
**P05-62**

REZONING OF 24.20 ACRES FROM A1 TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTH OF CYPRESS LAKES ROAD, WEST OF SOUTH FORTY DRIVE, SUBMITTED BY JAMES A. MCLEAN III, OWNED BY FRANKLIN R. FOWLER.

**Site Information:**

**Applicant/Owner:** JAMES A. MCLEAN III / FRANKLIN R. FOWLER

**Area:** 24.20 acres

**Frontage & Location:** 7 feet on Cypress Lakes Road

**Depth:** 1,630 feet

**Jurisdiction:** County

**Adjacent Property:** No

**Current Use:** Vacant

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

**Zoning Violation(s):** None

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

**Surrounding Land Use:** Baseball field and construction company

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

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

**Urban Services Area:** Yes

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

**School Capacity/Enrolled:** Gallberry Farms Elementary 901/958, Grays Creek Middle 450/524, Grays Creek High 1000/961

**Subdivisions:** Property has limited access. A subdivision or group development may be required.

**Military Impact Area:** No

**Highway Plan:** Cypress Lakes Road is identified as a Major Thoroughfare. The Plan calls for a center turning lane to this road. This is a Priority #3 in the Highway portion of the LRTP. Road improvements are included in the 2006-2012 MTIP.

**Average Daily Traffic Count (2000):** 950 on Cypress Lakes Road

**Notes:** Density minus 20% for roads: A1 - 9 lots; R40 - 21 lots; R20 - 42 lots; R15 - 56 lots; R10 - 84 lots