

Roy Turner,
Chair
Cumberland County

Walter Clark,
Vice-Chair
Cumberland County

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Patricia Hall,
Town of Hope Mills
Charles C. Morris,
Town of Linden



COUNTY of CUMBERLAND
—◆—
Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Lori Epler,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

December 13, 2011

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for December 20, 2011 Board Meeting

P11-57: REZONING OF .18+/- ACRE FROM R10 RESIDENTIAL TO R6A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 623 CHAPEL HILL ROAD, SUBMITTED BY ARLETHIA WALTON (POA) ON BEHALF OF GERTRUDE K. MEEKS (OWNER).

The Planning & Inspections Staff recommends approval of the R6A Residential district based on the following:

1. Although the request is not entirely consistent with the location criteria for “medium density residential” as listed in the Land Use Policies of the 2030 Growth Vision Plan, which calls for public sewer; however, the request is consistent with the Spring Lake Area Detailed Land Use Plan because public water is provided, and septic systems are allowed dependent upon soil types where public sewer is not available; and
2. The request is consistent with surrounding land uses.

There are no other districts considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P11-57
SITE PROFILE

P11-57: REZONING OF .18+/- ACRE FROM R10 RESIDENTIAL TO R6A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 623 CHAPEL HILL ROAD, SUBMITTED BY ARLETHIA WALTON (POA) ON BEHALF OF GERTRUDE K. MEEKS (OWNER).

Site Information:

Frontage & Location: No frontage

Depth: 140.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: 1 residential stick-built structure

Initial Zoning: R10 – January 7, 1977 (Area 11)

Nonconformities: Existing structure does not appear to meet front & rear yard setbacks

Zoning Violation(s): None

Surrounding Zoning: North: RR/CU (manufactured home), M(P), RR, R10, R7.5 & CD; South: M1(P)/CUD (mini-warehousing), R10/CU (manufactured home), C(P), C1(P), R10, R6A, R6 (SL) & R5A (SL); East: R10; West: R10 & CD

Surrounding Land Use: Residential (including manufactured homes), religious worship & woodlands

2030 Land Use Plan: Urban

Spring Lake Land Use Plan: Low Density Residential

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Town of Spring Lake/Septic

Soil Limitations: None

School Capacity/Enrolled: Manchester Elementary: 340/373; Spring Lake Middle: 700/468; Pine Forest High: 1,750/1,543

Subdivision/Site Plan: Lot created by deed on 10/10/60, recorded easement required for permits.

Municipal Influence Area: Town of Spring Lake

RLUAC: Has no objections to the request

Average Daily Traffic Count (2008): 2,900 on SR 1601 (Chapel Hill Road)

Highway Plan: Chapel Hill Road is identified in the Highway Plan as a Major Thoroughfare. The plan calls for widening to a multi-lane facility with a right-of-way of 100 feet. Road improvements are not included in the 2012-2018 MTIP. A feasibility study (FS-1106A) is currently in progress for a road extending from Pope Army Airfield to connect with the Randolph Street Interchange

Notes:

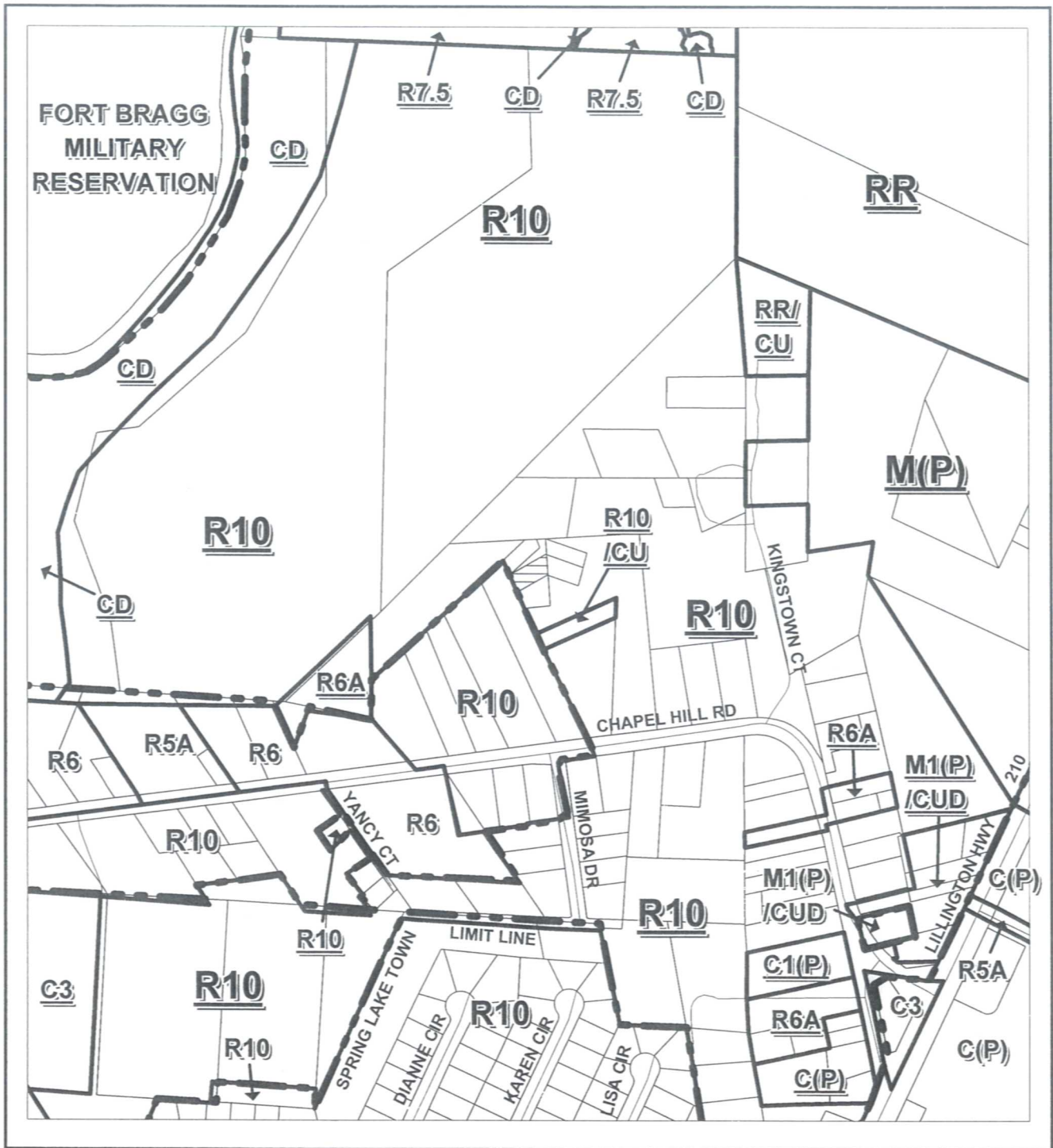
1. Density:
R10 – 1 lot/unit R6A – 1 lot/unit

2. Minimum Yard Setback Regulations:

<u>R10</u>	<u>R6A</u>
Front yard: 30'	Front yard: 25'
Side yard: 10'	Side yard: 10'
Rear yard: 35'	Rear yard: 15'

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' certified receipt of notice is also included.



REQUESTED REZONING R10 TO R6A

ACREAGE: 0.18 AC.+/-	HEARING NO: P11-57	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

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Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for the December 20, 2011 Board Meeting

P11-59: REZONING OF 2.52+/- ACRES FROM R10 RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE EAST SIDE OF US HWY 401 (RAMSEY STREET) AND NORTH OF I-295 SOUTH; SUBMITTED BY RICHARD WILLIAM JR. AND BRENDA O'QUINN SWANN (OWNERS).

The Planning & Inspections Staff recommends approval of the C1(P) Planned Local Business district for this request based on the following:

1. The request is generally consistent with the location criteria for "urban" as listed in the Land Use Policies of the 2030 Growth Vision Plan as well as with the North Fayetteville Land Use Plan which calls for "heavy commercial" at this location;
2. The location and character of the use will be in harmony with the surrounding area; and
3. Public utilities are available to the subject property.

There are no other districts considered suitable for this request.

Attachments:

- 1- Site Profile
- 2- Sketch Map

P11-59
SITE PROFILE

P11-59: REZONING OF 2.52+/- ACRES FROM R10 RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE EAST SIDE OF US HWY 401 (RAMSEY STREET) AND NORTH OF I-295 SOUTH; SUBMITTED BY RICHARD WILLIAM JR. AND BRENDA O'QUINN SWANN (OWNERS).

Site Information:

Frontage & Location: 180.00'+/- on US 401 (Ramsey Street)

Depth: 910.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Vacant

Initial Zoning: R10 – August 21, 1972 (Area 1)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: C(P), SF-10 (Fay) & R10; South: C(P), C1(P), CC (Fay), R10, SF-10 (Fay), PND, R6, SF-6 (Fay), R6A, MR-5 (Fay) & /MHO (Fay) ; East: R15; West: CC (Fay)

Surrounding Land Use: Residential, restaurants (2), bank, hospital, cemetery, tower, governmental use & woodlands

2030 Land Use Plan: Conservation area & Urban

North Fayetteville Land Use Plan: Heavy Commercial

Special Flood Hazard Area (SFHA): Yes, base flood is 107 msl (NAVD); 109 MSL with two foot freeboard


Water/Sewer Availability: PWC/PWC

Soil Limitations: None

School Capacity/Enrolled: Raleigh Road Elementary (K-1): 220/244; Long Hill Elementary (2-5): 460/485; Pine Forest Middle: 820/953; Pine Forest High: 1,750/1,525

Subdivision/Site Plan: If approved, any new construction or change in use will require a review and approval

Municipal Influence Area: City of Fayetteville

 **RLUAC:** Does not object to the request, however, the property is located within a military flight buffer area and suggests that additional review is needed prior to erecting any telecom towers—to protect military pilots from any undue flight hazards

Average Daily Traffic Count (2008): 18,000 on US 401 (Ramsey Street)

Highway Plan: Fayetteville Outer Loop is identified in the Highway Plan as a Major Thoroughfare. This proposal calls for a multi-lane facility (U-2519) with a right-of-way of 250 feet. Road improvements have been completed for the portion between I-95 and Ramsey Street. The portion between Ramsey Street and the All-American Expressway is currently under construction

Notes:

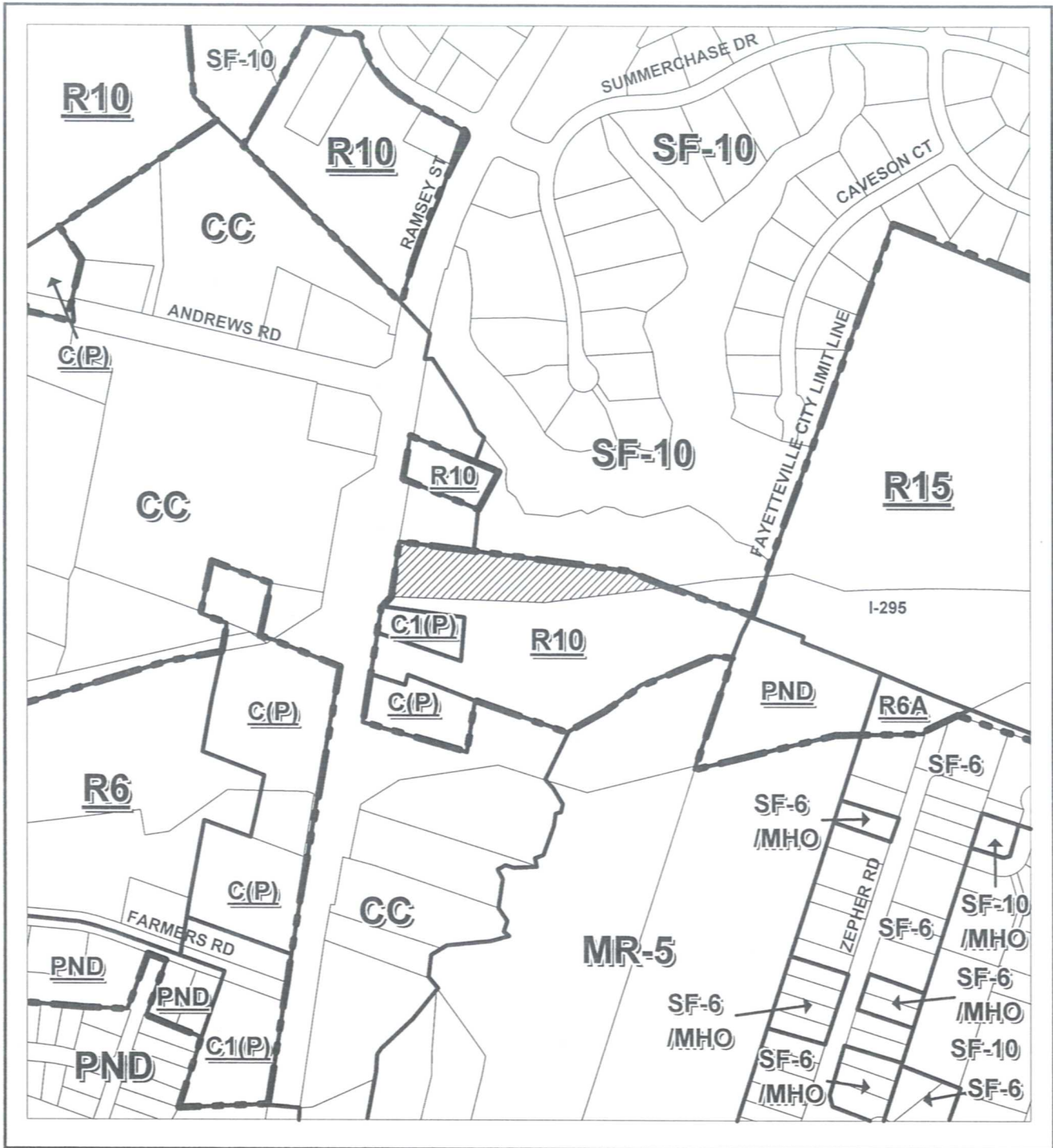
1. Density:
R10 – 15 lots/units

2. Minimum Yard Setback Regulations:

<u>R10</u>	<u>C1(P)</u>
Front yard: 30'	Front yard: 45'
Side yard: 10'	Side yard: 15'
Rear yard: 35'	Rear yard: 20'

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' certified receipt of notice is also included.



REQUESTED REZONING R10 TO C1(P)

ACREAGE: 2.52 AC.+/-	HEARING NO: P11-59	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

Roy Turner,
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Donovan McLaurin,
Wade, Falcon & Godwin

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for December 20, 2011 Board Meeting

P11-60: REZONING OF .69+/- ACRE FROM C(P) PLANNED COMMERCIAL TO R30 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2969 AB CARTER ROAD, SUBMITTED BY WILLIAM K. AND SHERRI H. PIERCE ON BEHALF OF PIERCE INVESTMENT PROPERTIES, INC. (OWNER).

The Planning & Inspections Staff recommends approval of the R30 Residential district for this request based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for “urban” and “urban fringe” at this location, as well as meeting the location criteria for suburban density residential development as listed in the Land Use Policies Plan;
2. The request is reasonable since approval will cure the nonconformity of the existing use of the property; and
3. The location and character of the use will be in harmony with the surrounding area.

There are no other districts considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P11-60
SITE PROFILE

P11-60: REZONING OF .69+/- ACRE FROM C(P) PLANNED COMMERCIAL TO R30 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2969 AB CARTER ROAD, SUBMITTED BY WILLIAM K. AND SHERRI H. PIERCE ON BEHALF OF PIERCE INVESTMENT PROPERTIES, INC. (OWNER).

Site Information:

Frontage & Location: 554.70'+/- on SR 2011 (AB Carter Road)

Depth: 154.62'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: 1 residential dwelling

Initial Zoning: C(P) – September 14, 1979 (Area 9)

Nonconformities: Existing structure does not appear to meet front, side or rear setbacks

Zoning Violation(s): None

Surrounding Zoning: North: M(P), RR & PND; South: A1/CU (manufactured home), C(P), R40, RR, R20, R15 & A1; East: HS(P) & A1; West: C(P)

Surrounding Land Use: Residential, retailing, convenience retail w/ gasoline sales, hobby supply sales, farmland & woodlands

2030 Land Use Plan: Urban & Urban Fringe

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/Septic

Soil Limitations: Yes, hydric – RA Rains sandy loam & DgA – Dogue fine sandy loam

School Capacity/Enrolled: Sunnyside Elementary: 300/362; Mac Williams Middle: 1,274/1,221; Cape Fear High: 1,400/1,575

Subdivision/Site Plan: If approved, any new construction may require a review and approval

Municipal Influence Area: City of Fayetteville

Average Daily Traffic Count (2008): 1,600 on SR 2011 (AB Carter Road)

Highway Plan: There are no road improvements/constructions specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Program

Notes:

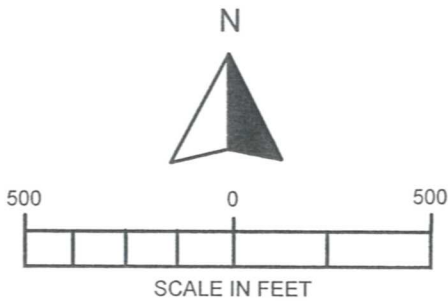
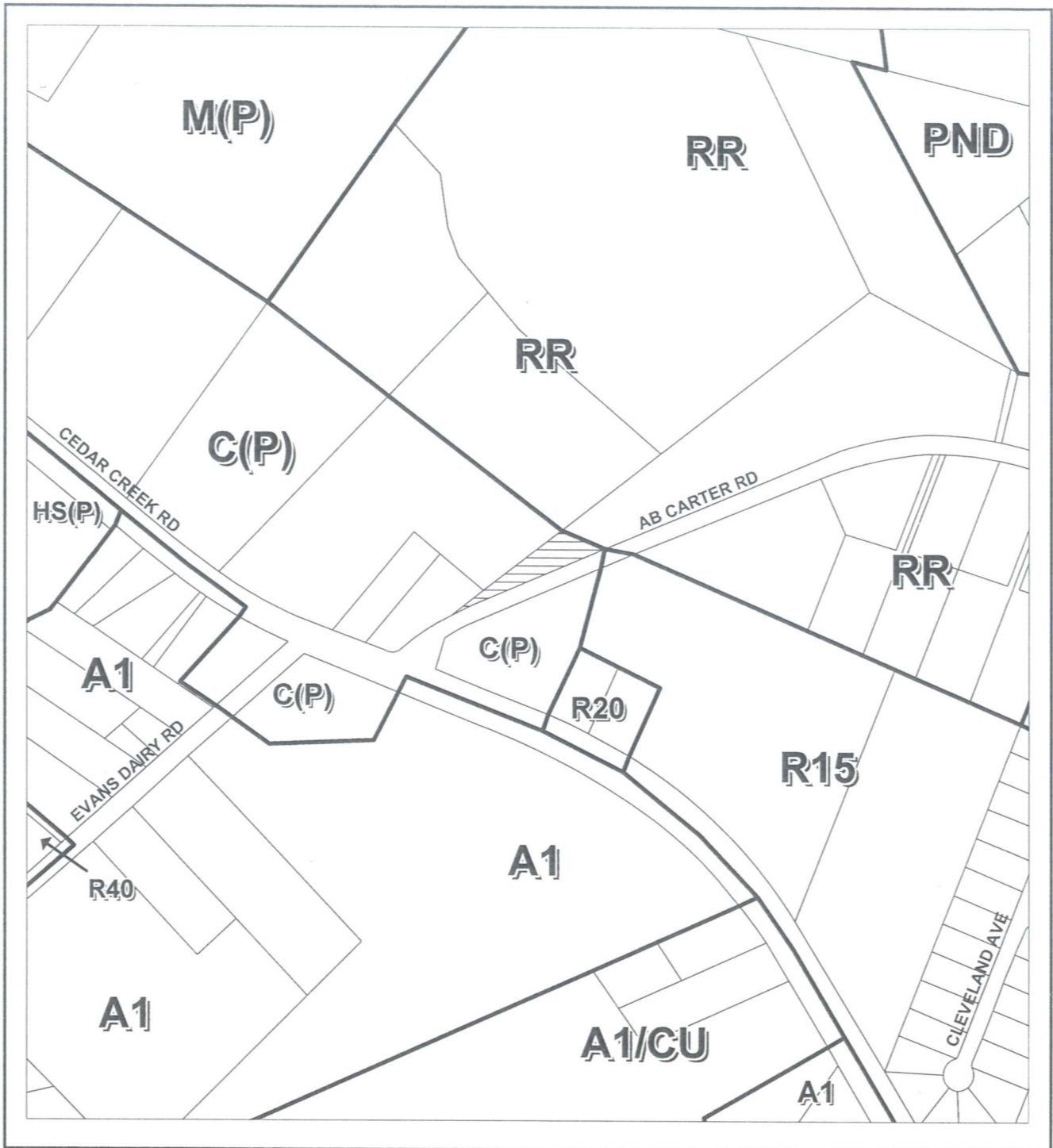
1. Density:
R30 – 1 lot/unit

2. Minimum Yard Setback Regulations:

<u>R30</u>	<u>C(P)</u>
Front yard: 30'	Front yard: 50'
Side yard: 15'	Side yard: 30'
Rear yard: 35'	Rear yard: 30'

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' certified receipt of notice is also included.



REQUESTED REZONING C(P) TO R30

ACREAGE: 0.69 AC.+/-		HEARING NO: P11-60	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

Roy Turner,
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COUNTY of CUMBERLAND

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Donovan McLaurin,
Wade, Falcon & Godwin

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the December 20, 2011 Board Meeting

P11-61: REZONING OF 611+/- ACRES FROM A1 AGRICULTURAL TO M(P) PLANNED INDUSTRIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHEAST SIDE OF SR 2243 (ROSLIN FARM ROAD) AND SOUTHWEST OF SR 2242 (BRAXTON ROAD); SUBMITTED BY FAYETTEVILLE – CUMBERLAND COUNTY CHAMBER OF COMMERCE.

The Planning and Inspections Staff recommends approval of the M(P) Planned Industrial district for this request based on the following:

1. The request for M(P) at this location is consistent with all of the location criteria for “heavy industrial/manufacturing” as listed in the Land Use Policies Plan of the 2030 Growth Vision Plan, specifically:
 - a. Public water and sewer is available to the subject property;
 - b. The subject property has direct access to Roslin Farm Road, which is an arterial street;
 - c. The surrounding property is predominantly zoned A1 Agricultural;
 - d. The tract is of sufficient size to accommodate buffering, screening and landscaping along with all other minimum ordinance requirements; and
 - e. The property is located outside the *Special Flood Hazard Area*;
2. Approval of this request would be consistent with the objectives of the Land Use Policies Plan, in particular: promoting efforts that encourage new industrial development and providing sufficient zoned industrial areas to accommodate the needs of present and future County residents; and
3. Industrial operations at this location would be more appropriate than other uses due to the nature of the soils and the ability to ensure adequate engineering measures capable of ensuring there are no negative effects on the surrounding properties.

There are no other zoning districts suitable as related to this request.

Attachments:

- 1 - Site Profile
- 2 - Sketch Map

P11-61
SITE PROFILE

P11-61: REZONING OF 611+/- ACRES FROM A1 AGRICULTURAL TO M(P) PLANNED INDUSTRIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHEAST SIDE OF SR 2243 (ROSLIN FARM ROAD) AND SOUTHWEST OF SR 2242 (BRAXTON ROAD); SUBMITTED BY FAYETTEVILLE – CUMBERLAND COUNTY CHAMBER OF COMMERCE.

Site Information:

Frontage & Location: 1,760.00'+/- on SR 2243 (Roslin Farm Road)

Depth: 7,200.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Farmland

Initial Zoning: A1 – June 25, 1980 (Area 13)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: C1(P)/CU (manufactured home), C1(P), R30, RR, R10 & A1; South: R40/CU (75 lot residential subdivision), RR/DD/CUD (234 lot residential subdivision), A1/CU (manufactured home), R40A, A1 & CD; East: R10 & A1; West: C1(P), R40A & A1

Surrounding Land Use: Residential (including manufactured dwellings), substation, tower, farmland & woodlands

2030 Growth Strategy Map: Urban Fringe

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/PWC

Soil Limitations: Yes, hydric – TR Torhunata and Lynn Haven, UD Udorthents loamy, PG Pantego loam & PA Pactolus loamy sand

School Capacity/Enrolled: Gray's Creek Elementary: 495/393; Gray's Creek Middle: 1,000/953; Gray's Creek High: 1,270/1,284

Subdivision/Site Plan: If approved, new development will require review and approval

Average Daily Traffic Count (2008): 1,300 on SR 2243 (Roslin Farm Road)

Highway Plan: There are no road improvements/constructions specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Program

Notes:

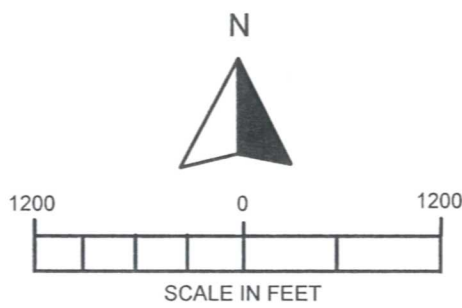
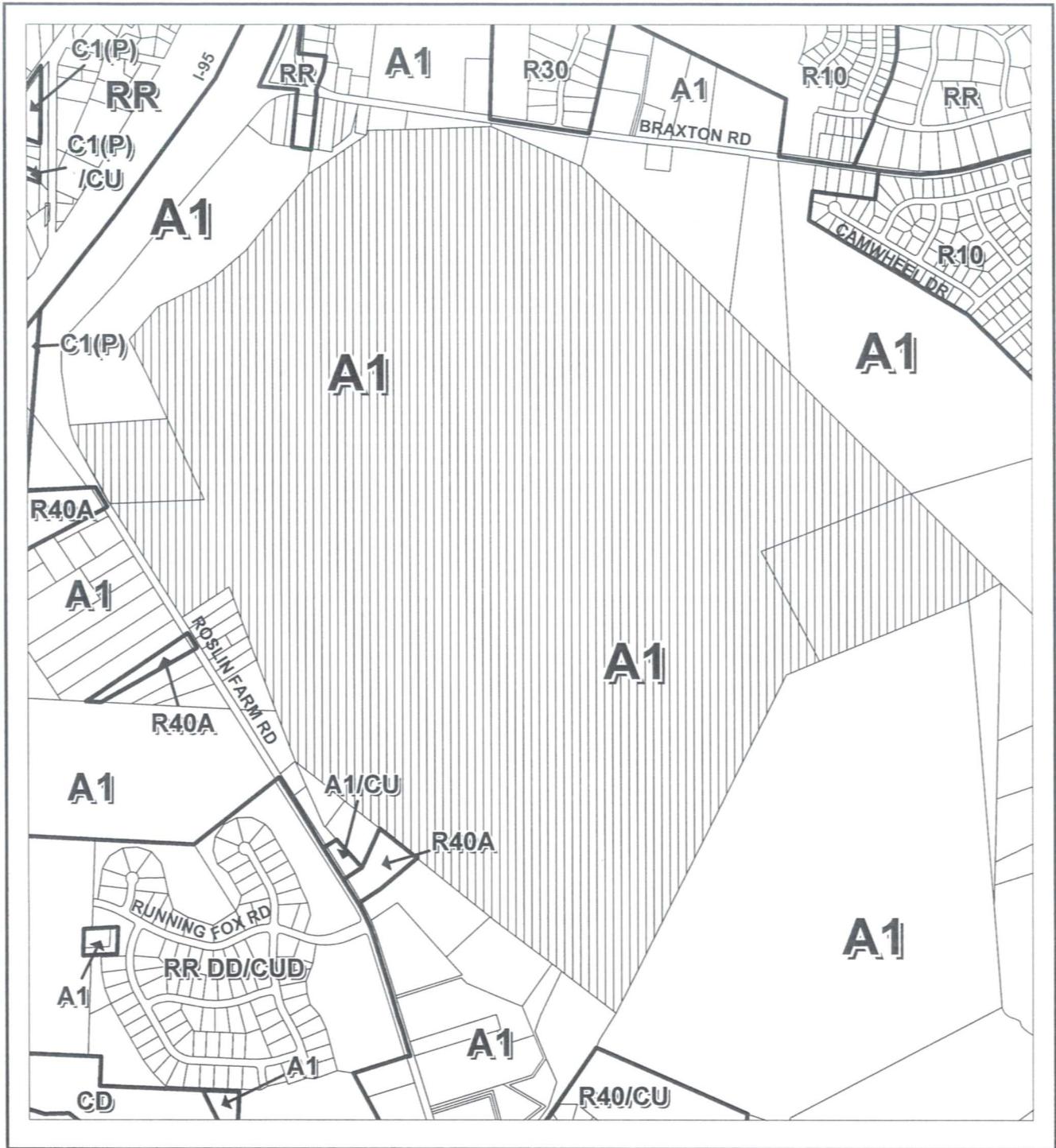
1. Density minus 15% for R/W:
A1 – 260 lots/units

2. Minimum Yard Setback Regulations:

<u>A1</u>	<u>M1(P)</u>	<u>M(P)</u>
Front yard: 50'	Front yard: 50'	Front yard: 100'
Side yard: 20'	Side yard: 30'	Side yard: 50'
Rear yard: 50'	Rear yard: 30'	Rear yard: 50'

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' acknowledgement of notice is also included in the case file.



REQUESTED REZONING A1 TO M(P)

ACREAGE: 611.00 AC.+/-		HEARING NO: P11-61	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PORT. OF PIN: 0422-05-3149,
0422-54-1009
PIN: 0412-75-1543

WL
12/13/11

Roy Turner,
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MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the December 20, 2011 Board Meeting

P07-75: MODIFICATION OF THE PERMIT FOR AN APPROVED C(P) PLANNED COMMERCIAL/CUD CONDITIONAL USE DISTRICT FOR A MINI-WAREHOUSING, RETAIL/OFFICE SPACE, SECOND FLOOR DWELLING AND CAR WASH, WITH THE PERMIT ALLOWING FOR THE OUTSIDE STORAGE OF MOTOR VEHICLES; CONSISTING OF 11.66+/- ACRES; LOCATED AT THE SOUTH QUADRANT OF SR 1003 (CAMDEN ROAD) AND SR 1112 (ROCKFISH ROAD); SUBMITTED BY MICHAEL G. AND BARBARA J. WAGUESPACK ON BEHALF OF USA STORAGE CENTER, LLC. (OWNER).

The Planning and Inspections Staff recommends approval of the modification to the Permit for the C(P) Planned Commercial/CUD Conditional Use District to allow outside storage of motor vehicles (Condition No. 7) for this request based on the following:

1. The change in the condition will not materially endanger the public health or safety if located according to the plan submitted with all development standards being met or exceeded;
2. The use and the proposed development will meet all required conditions and specifications if developed according to the site plan, application and the attached *Ordinance Related Conditions*;
3. The use will maintain or enhance the value of adjoining or abutting properties if developed as proposed in that the property owner proposes to better organize the site with a designated area for the vehicle storage that is screened from view from the public streets with a six foot opaque fence; and
4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and the site in general will be developed in conformance with the development ordinances and adopted planning policies.

The property owner has voluntarily agreed to this staff recommendation and the attached *Ordinance Related Conditions*.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map
- 3 – Site Plan
- 4 – Modification Request
- 5 – Conditions of Approval

P07-75
SITE PROFILE

P07-75: MODIFICATION OF THE PERMIT FOR AN APPROVED C(P) PLANNED COMMERCIAL/CUD CONDITIONAL USE DISTRICT FOR A MINI-WAREHOUSING, RETAIL/OFFICE SPACE, SECOND FLOOR DWELLING AND CAR WASH, WITH THE PERMIT ALLOWING FOR THE OUTSIDE STORAGE OF MOTOR VEHICLES; CONSISTING OF 11.66+/- ACRES; LOCATED AT THE SOUTH QUADRANT OF SR 1003 (CAMDEN ROAD) AND SR 1112 (ROCKFISH ROAD); SUBMITTED BY MICHAEL G. AND BARBARA J. WAGUESPACK ON BEHALF OF USA STORAGE CENTER, LLC. (OWNER).

Site Information:

Frontage & Location: 537.71' +/- on SR 1003 (Camden Road), 411.69' +/- on SR 1112 (Rockfish Road), 441.03' +/- on SR 3091 (Deaver Circle) & 570.80' +/- on Applegate Road

Depth: 780.00' +/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Approves Uses: Mini-warehousing, retail/office space, 2nd floor dwelling & car wash

Initial Zoning: RR, R10 & R6A – February 3, 1977 (Area 7); Portions rezoned to C(P) on January 27, 1981 & October 18, 2004; Rezoned to C(P)/CUD on July 17, 2007

Nonconformities: Existing outside storage of vehicles not permitted

Zoning Violation(s): Yes, case ZN 6401 for failure to obtain a Certificate of Occupancy & outside storage

Surrounding Zoning: North: RR/CU (firewood cutting/sales), C(P), C1(P) (Hope Mills), RR, R6A & R5A; South: R10 (Hope Mills), RR, R6A (Hope Mills) & R6 (Hope Mills); East: R10 (Hope Mills), R6A & R6 (Hope Mills); West: RR

Surrounding Land Use: Residential (including manufactured homes & multi-family), religious worship (4), convenience retail w/ gasoline sales (2), manufactured home park & school

2030 Land Use Plan: Urban

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/PWC

Soil Limitations: None

School Capacity/Enrolled: Stoney Point Elementary: 865/683; John Griffin Middle: 1,274/1,212; Jack Britt High: 1,870/1,872

Subdivision/Site Plan: If approved, "Ordinance Related Conditions" apply

Municipal Influence Area: Town of Hope Mills

Average Daily Traffic Count (2008): 17,000 on SR 1003 (Camden Road) & 9,200 on SR 1112 (Rockfish Road)

Highway Plan: Rockfish Road is identified in the Highway Plan as a major thoroughfare. This proposal calls for a multi-lane facility with a right-of-way of 90 feet. Road improvements are not included in the 2012-2018 MTIP. Camden Road is identified in the Highway Plan as a major thoroughfare. This proposal calls for a multi-lane facility (U-3422) with a right-of-way of 110 feet. Road improvements are included in the 2012-2018 MTIP

Notes:

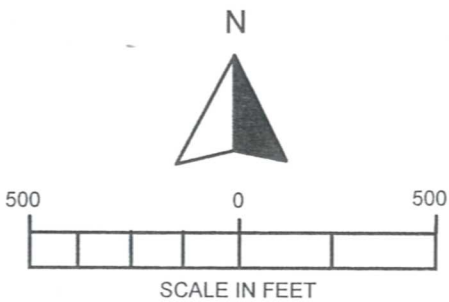
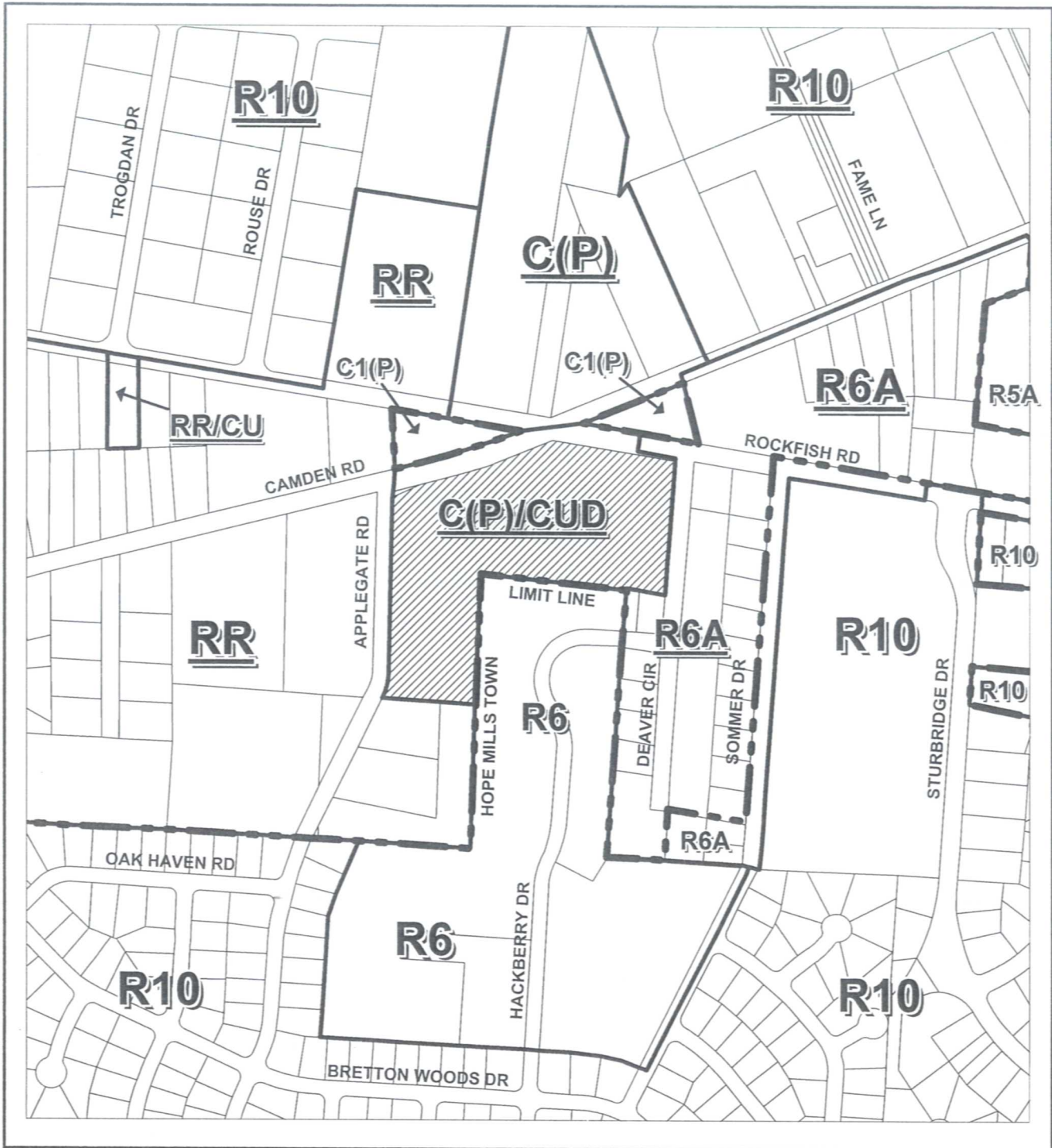
- Request to modify the note in Condition 7 only:

“(NOTE: This conditional approval is not approval of any outside storage of any Vehicle, boats, RV’s, etc.)”

- All other conditions along with the contents of site plan and original application still apply

First Class and Record Owners’ Mailed Notice Certification

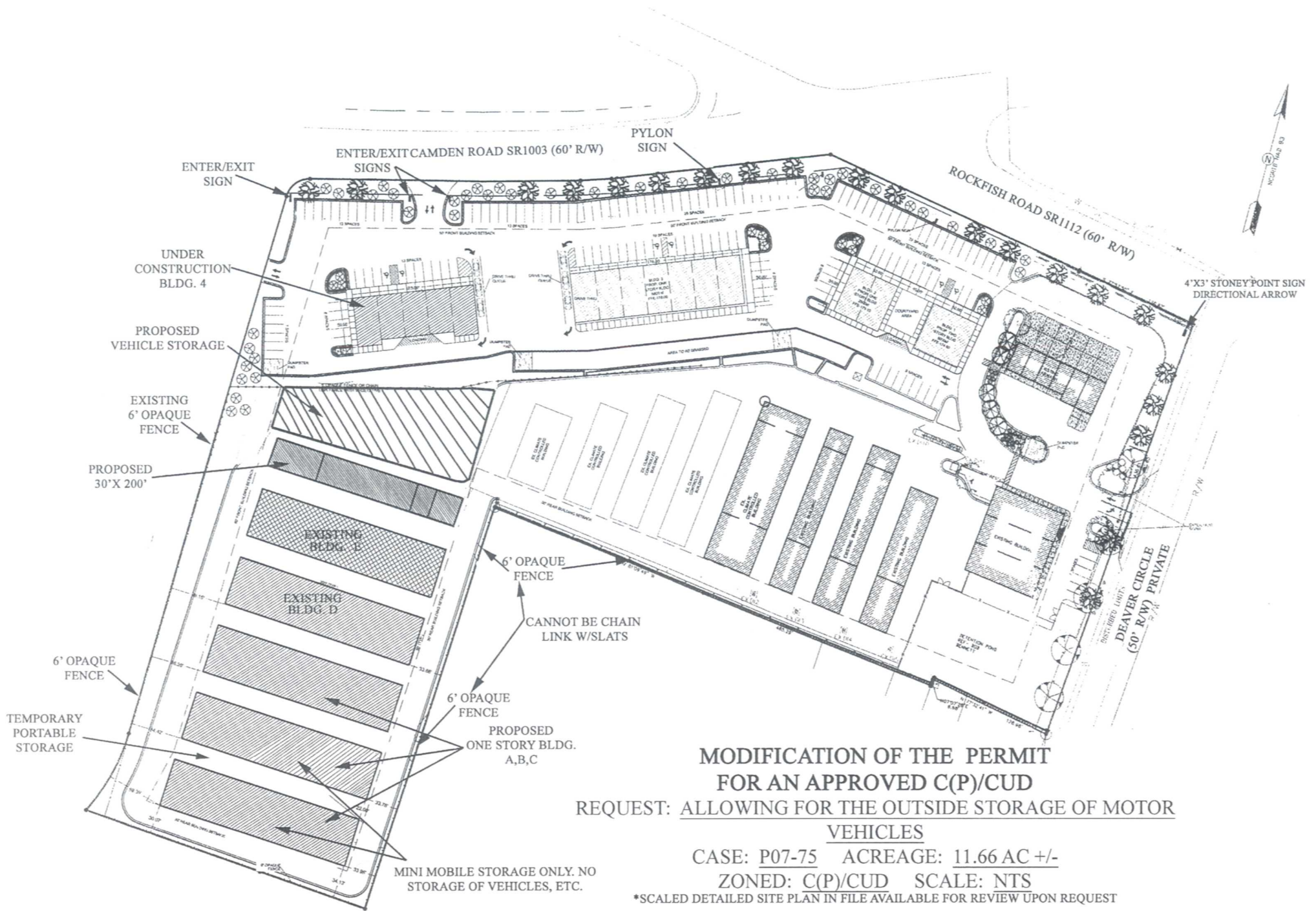
ertified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within case file and is incorporated by reference as if delivered herewith. The record owners’ certified receipt of notice is also included.



MODIFICATION OF CONDITIONAL USE PERMIT

ACREAGE: 11.66 AC.+/-		HEARING NO: P07-75	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0404-46-0307



**MODIFICATION OF THE PERMIT
FOR AN APPROVED C(P)/CUD
REQUEST: ALLOWING FOR THE OUTSIDE STORAGE OF MOTOR
VEHICLES**

CASE: P07-75 ACREAGE: 11.66 AC +/-

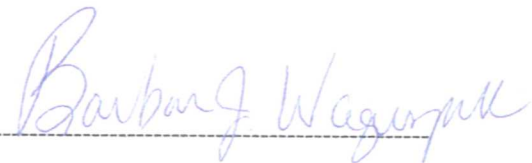
ZONED: C(P)/CUD SCALE: NTS

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

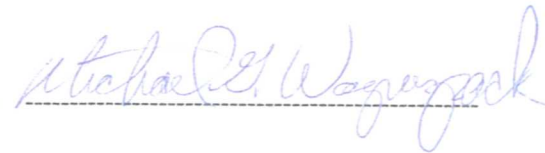
Oct.5,2011

Cumberland Co. Planning Dept.: CASE# PO7-75

USA Storage Center doing business at 6463 Rockfish Rd. is requesting to modify the conditional use of the property to include the storage of outside vehicles. Due to the restrictions of homeowners ability to park recreational vehicles at their residence, the need to allow customers to park the vehicles at the storage center is becoming an issue. Shrubs have been planted to screen the vehicles from the road frontage. Thank you for considering this matter.

↓ 

Barbara J. Waguespack

↓ 

Michael G. Waguespack

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Patricia Hall,
Town of Hope Mills
Charles C. Morris,
Town of Linden



CUMBERLAND
COUNTY



COUNTY of CUMBERLAND

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

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

October 17, 2007

(Revision: October 7, 2008)

USA Storage Center, LLC
P.O. Box 234
White Oak, North Carolina 28399

SUBJECT: P07-75: REZONING OF TWO PARCELS TOTALING 11.66 ACRES FROM RR AND C(P) TO C(P)/CONDITIONAL USE DISTRICT AND PERMIT TO ALLOW MINI-WAREHOUSING, RETAIL/OFFICE SPACE, SECOND FLOOR DWELLING UNIT AND CAR WASH OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT THE SOUTH QUADRANT OF ROCKFISH AND CAMDEN ROADS, SUBMITTED BY BRADLEY W. YOUNG, OWNED BY USA STORAGE CENTER LLC.

Dear Property Owners:

The Cumberland County Board of Commissioners met on Monday, October 15, 2007 and approved the C(P)/Conditional Use District and Permit application that you submitted, subject to the contents of the application and the site plan.

Development of this site must comply with the following:

Conditions of the Application

1. Proposed Uses: Mini-warehousing (standard and mini-mobile), retail/office space, second floor dwelling unit and car wash.
2. Hours of Operation: Mini-warehousing-24 hours, Office/retail will be standard business hours.
3. Parking: 227 spaces (total) (94 spaces required - 2-9-11, P58)
4. Signage: In accordance with the Zoning Ordinance.
5. Buffering: Chain link fence planted with climbing jasmine vine as in Phase I.

Permit-Related:

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.

2. 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 Code Enforcement at the time of application for building/zoning permits.
3. The developer must/may have to provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR) 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 (3) 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 NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.
4. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
5. Landscaping must be provided as shown on the site plan. In addition, all required plant materials shall be maintained by the property owners, including replacing dead or unhealthy trees and shrubs; trees shall be maintained in a vertical position at all times; all planting areas shall be kept free of weeds and debris.
6. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

Site-Related:

7. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the C(P)/CUD zoning district and the conditions of the Permit must be complied with, as applicable. (NOTE: This conditional approval is not approval of any outside storage of any vehicles, boats, RV's, etc.)
8. This approval is not approval of any freestanding signs; if a freestanding sign is desired, re-submittal to the Land Use Codes Section of a revised site plan showing the location and dimensions of the freestanding sign(s) must be submitted for Staff approval.
9. Because the original NC Department of Transportation (NCDOT) approved driveway was never constructed and the site has increased in size, the developer must obtain a new driveway permit from the NCDOT.
10. The NC Department of Transportation (NCDOT) will require turn lanes to be installed. A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
11. The off-street parking must be provided as shown on the site plan. All required off-street parking spaces must be provided as required by the provisions of the County Zoning Ordinance, 75% of which are required to be a minimum of 9' x 20' and surfaced, with a permanent material such as asphalt or concrete, and striped prior to application for the *Certificate of Occupancy*. The remaining 25% must remain un-improved and used as "overflow" parking.
12. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
13. A solid buffer must be provided along the entire southern boundary of this site where the subject property is adjacent to residential zoning districts. This buffer must be provided and maintained in accordance with the provisions of Section 1102 G, Buffer Requirements, County Zoning Ordinance. If fencing is to be used, the developer is required to set the fence back a sufficient width to allow for the proper maintenance and upkeep of the vegetation.

14. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
15. An adequate drainage system must be installed by the developer in accordance with good engineering practices and all drainage ways must be kept clean and free of debris.
16. Fire hydrants must be installed along all proposed streets and drives; hydrants must be located no further than 1,000 feet apart and at a maximum of 500 feet from any lot.
17. All utilities, except for 25kv or greater electrical lines, must be located underground.
18. The owner/developer is the responsible party to secure and maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
19. 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.
20. All notes and calculations as shown on the site plan and contained within the application are to be considered as a part of this conditional approval.

If you need clarification and/or negotiation of conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605.

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

Improvements Inspection:		678-7765
Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
PWC:	Heidi Maly	483-1401
Town of Hope Mills:		424-4555*
Corp of Engineers (wetlands):	Ronnie Smith	(910) 251-4829
NCDENR (E&S)		486-1541
E911 Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts)	Gary Burton	486-1496

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

If you have any questions, please give me a call at 678-7605.

Sincerely,

Patricia Speicher
Land Use Codes Supervisor

cc: Crawford Design
Code Enforcement Section
Mike Bailey, Town of Hope Mills

Roy Turner,
Chair
Cumberland County

Walter Clark,
Vice-Chair
Cumberland County

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Patricia Hall,
Town of Hope Mills
Charles C. Morris,
Town of Linden



COUNTY of CUMBERLAND

Planning & Inspections Department

December 13, 2011

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Lori Epler,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the December 20, 2011 Board Meeting

P11-58: REZONING OF 2.64+/- ACRES FROM RR RURAL RESIDENTIAL AND R10 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTH SIDE OF SR 1003 (CAMDEN ROAD), EAST OF NC 59 (HOPE MILLS ROAD); SUBMITTED BY NEIL E. SMITH ON BEHALF OF SMITH FAMILY CONSERVANCY, LLC. (OWNER).

The Planning and Inspections Staff recommends denial of the C(P) Planned Commercial district for this request based on the following:

1. The request for C(P) Planned Commercial is not consistent with all of the location criteria for "heavy commercial", as listed in the Land Use Policies Plan of the 2030 Growth Vision Plan specifically the subject property is not of adequate shape or size to meet the minimum standards for C(P) setbacks, off-street parking, stormwater runoff, buffering, screening and landscaping for all uses permitted within the district;
2. Approval of the request for the C(P) Planned Commercial district at this location would allow for development that very likely would nullify the recent public improvements to the basic infrastructure which in part were intended to improve the public safety and aesthetics by alleviating flooding, improving water quality and protecting the wildlife habitat; and
3. The request is not reasonable because approval of the request will promote strip commercial development along Camden Road and encroach commercial into an area that is more suitable for preservation due to the environmental constraints of the subject and surrounding properties.

The staff may consider a more favorable recommendation if the property owner submitted for a Conditional Zoning district with the site plan depicting the intended use of the subject property. Furthermore, the staff encourages the board to consider CD Conservancy zoning for that portion of the subject property located within the *Special Flood Hazard Area* and the floodway.

Attachments:
1 - Site Profile
2 - Sketch Map

P11-58
SITE PROFILE

P11-58: REZONING OF 2.64+/- ACRES FROM RR RURAL RESIDENTIAL AND R10 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTH SIDE OF SR 1003 (CAMDEN ROAD), EAST OF NC 59 (HOPE MILLS ROAD); SUBMITTED BY NEIL E. SMITH ON BEHALF OF SMITH FAMILY CONSERVANCY, LLC. (OWNER).

Site Information:

Frontage & Location: 961.00'+/- on SR 1003 (Camden Road)

Depth: 220.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: Yes, south of subject property

Current Use: Vacant

Initial Zoning: R10 – February 6, 1976 (Area 5); portion rezoned to RR on February 24, 1976

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: C3 (HM), C(P), RR, R10 & R6A; South: C(P) (HM), C2(P) (HM), RR, R10 & R6A; East: C(P) & R10; West: C(P) (HM) & R10 (HM)

Surrounding Land Use: Residential (including manufactured homes), shopping center, retailing (2), salon & woodlands

2030 Land Use Plan: Conservation area (SFHA) & Urban

Special Flood Hazard Area (SFHA): Yes, base flood varies from 115.5 msl (NAVD) to 116 msl (NAVD).

Water/Sewer Availability: PWC/Septic

Soil Limitations: Yes, hydric – JT Johnston loam

School Capacity/Enrolled: C. Wayne Collier Elementary: 600/611; South View Middle: 822/817; South View High: 1,800/1,837

Subdivision/Site Plan: If approved, any new development or change in use will require a review and approval

Municipal Influence Area: Town of Hope Mills

Average Daily Traffic Count (2008): 13,000 on SR 1003 (Camden Road)

Highway Plan: Camden Road is identified in the Highway Plan as a Major Thoroughfare. This proposal calls for a multi-lane facility (U-2810A) with a right-of-way of 110 feet. Road construction is in progress

Notes:

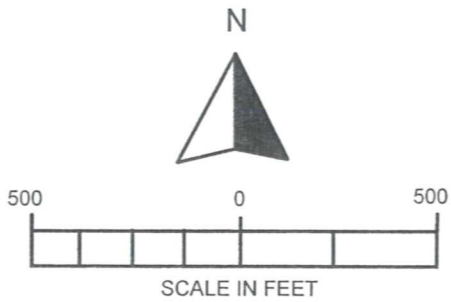
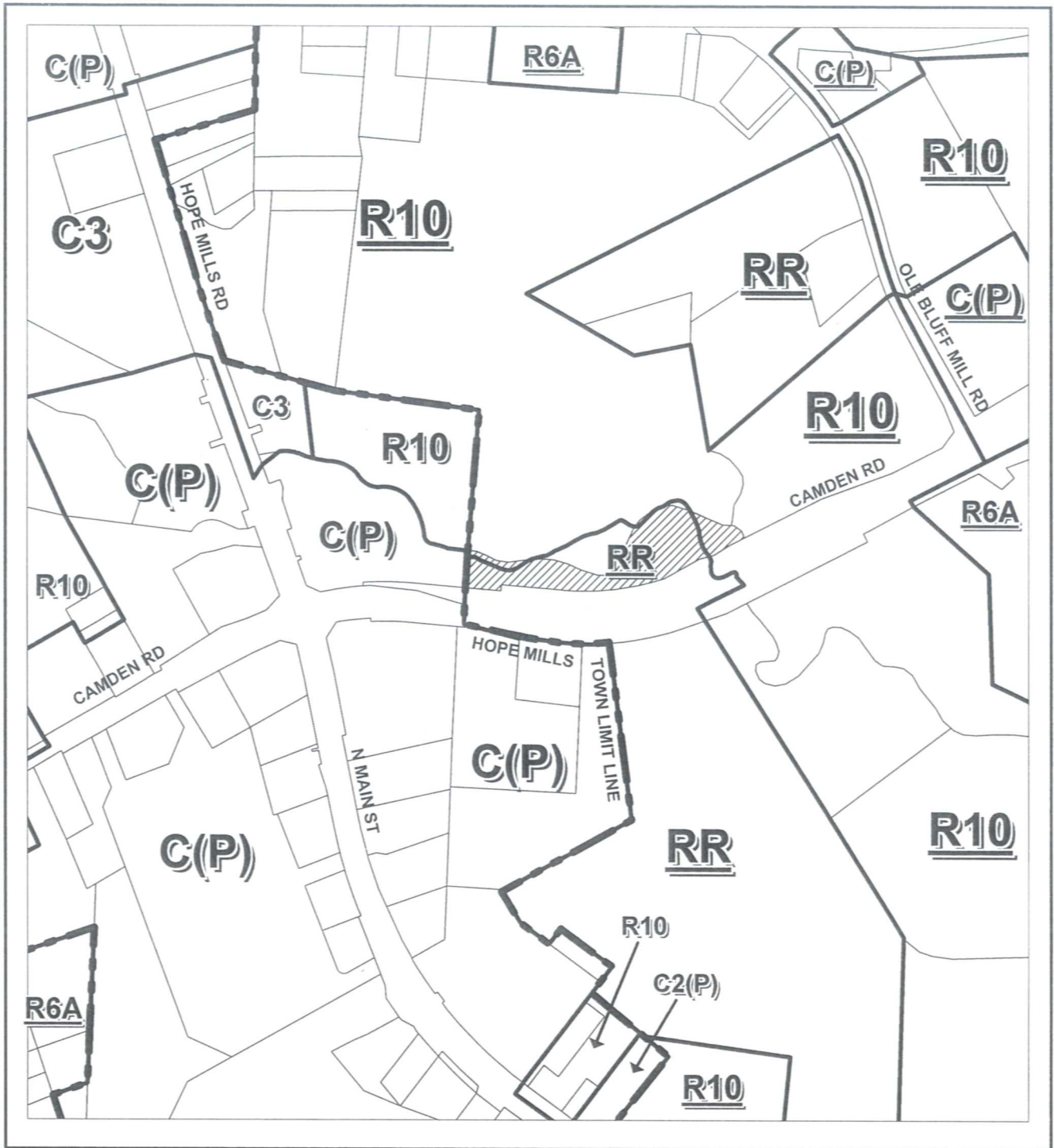
1. Density:
RR – 6 lots/units
R10 – 15 lots/units

2. Minimum Yard Setback Regulations:

<u>RR & R10</u>	<u>C(P)</u>
Front yard: 30'	Front yard: 50'
Side yard: 15'	Side yard: 30'
Rear yard: 35'	Rear yard: 30'

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' acknowledgement of notice is also included in the case file.



REQUESTED REZONING R10 & RR TO C(P)

ACREAGE: 2.64 AC.+/-		HEARING NO: P11-58	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			