

Lori Epler,
Chair
Cumberland County

Roy Turner,
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

September 13, 2011

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
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 September 20, 2011 Board Meeting

P11-17: REZONING OF .74+/- ACRES FROM R20 RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 7162 ROCKFISH ROAD, SUBMITTED BY ANDREW F. AND RANDAYLE C. MCMILLAN (OWNERS).

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

1. The request for C1(P) Planned Local Business is consistent with the location criteria for "light commercial", as listed in the Land Use Policies Plan of the 2030 Growth Vision Plan, specifically the subject property has access to public water and sewer, direct access to a collector street, is in an area that is transitioning to commercial, and will provide convenient goods and services to the immediate surrounding neighborhood; and
2. The request is reasonable because the subject property is of a size and shape that the yard setbacks for the C1(P) zoning district can be met and all required improvements such as off-street parking, landscaping, buffering, etc. can be provided on-site.

The staff, upon further analysis of the northern portion of Rockfish Road, acknowledges that when considering wetlands and existing development in this area, commercial rezoning would be appropriate extending east and ending at the existing residential development. To ensure the absence of lot by lot rezoning like those that occurred along Hope Mills Road, this matter should be addressed in the Land Use Policies Plan.

The C2(P) Planned Service and Retail district could also be considered suitable for this request.

Attachments:

- 1 - Site Profile
- 2 - Sketch Map

P11-17
SITE PROFILE

P11-17: REZONING OF .74+/- ACRES FROM R20 RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 7162 ROCKFISH ROAD, SUBMITTED BY ANDREW F. AND RANDAYLE C. MCMILLAN (OWNERS).

Site Information:

Frontage & Location: 250.00'+/- on SR 1112 (Rockfish Road)

Depth: 186.48'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: 1 dwelling

Initial Zoning: R10 – February 6, 1976 (Area 5); rezoned to R20 on July 16, 2001

Nonconformities: If approved, residential use & structure (including setbacks) will be made nonconforming; current accessory building appears to be nonconforming

Zoning Violation(s): None

Surrounding Zoning: North & East: R10; South: C2(P) & RR; West: MXD/CUD & R20

Surrounding Land Use: Residential (including manufactured dwellings), school, shopping center, religious worship, farmland & woodlands

2030 Land Use Plan: Urban

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/ PWC

Soil Limitations: Yes, hydric – TR Torhunta and Lynn Haven soils

School Capacity/Enrolled: Stoney Point Elementary: 900/684; John Griffin Middle: 1,340/1,256; Jack Britt High: 1,870/1,834

Subdivision/Site Plan: If approved, site plan review and approval required

Municipal Influence Area: Town of Hope Mills

Average Daily Traffic Count (2008): 11,000 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 included in the 2009-2015 MTIP

Notes:

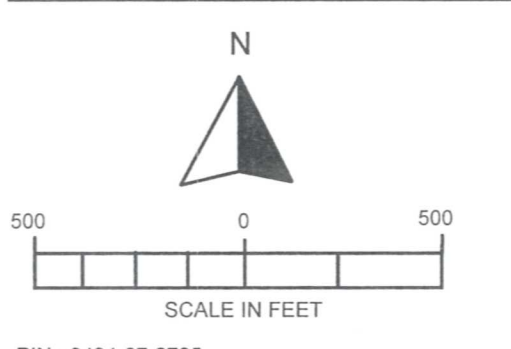
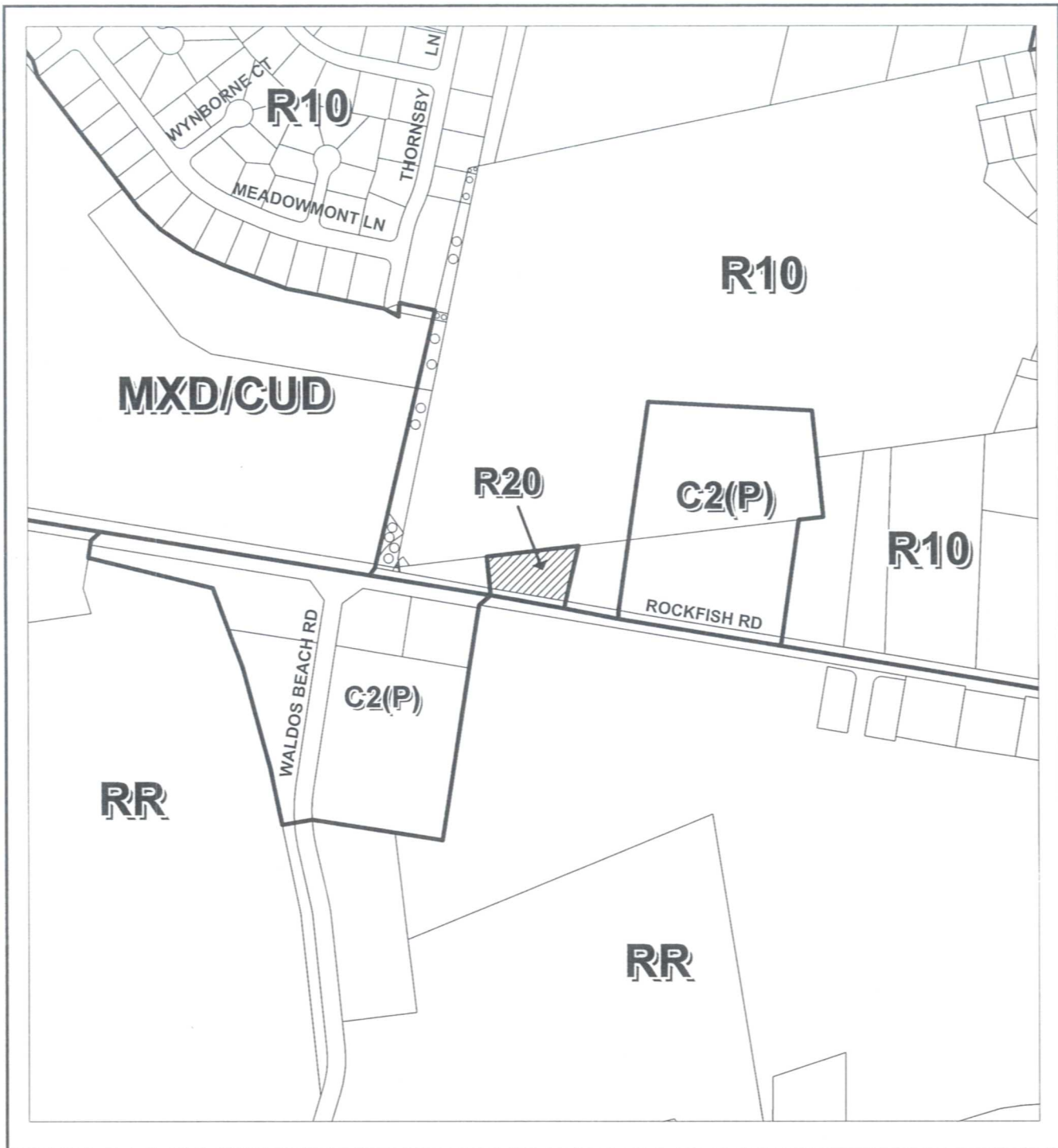
1. Density:
R20 – 2 lots/units

2. Minimum Yard Setback Regulations:
C1(P)
Front yard: 45'
Side yard: 15'
Rear yard: 20'

3. This case is being re-considered at the request of the Board of Commissioners'

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 R20 TO C1(P)

ACREAGE: 0.74 AC.+/-	HEARING NO: P11-17	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 9494-87-2795

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



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Sara E. Piland,
Cumberland County

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 September 20, 2011 Board Meeting

P11-37: REZONING OF 3.00+/- ACRES FROM C1(P) PLANNED LOCAL BUSINESS TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 8745 MAIN STREET, SUBMITTED BY JASON C. AND ALISON J. DRAUGHON (OWNERS). (GODWIN)

The Planning & Inspections Staff recommends approval of the C2(P) Planned Service and Retail district for this request based on the following:

1. The request is consistent with the Northeast Cumberland Detailed Area Plan, which calls for commercial development at this location and the location criteria for "light commercial" as listed in the Land Use Policies of the 2030 Growth Vision Plan, specifically the subject property has access to public water and sewer, direct access to a collector street, is in an area that is transitioning to commercial, and will provide convenient goods and services to the immediate surrounding neighborhood; and
2. Approval of the request will cure the nonconformity of the primary existing use.

There are no other districts considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P11-37
SITE PROFILE

P11-37: REZONING OF 3.00+/- ACRES FROM C1(P) PLANNED LOCAL BUSINESS TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 8745 MAIN STREET, SUBMITTED BY JASON C. AND ALISON J. DRAUGHON (OWNERS). (GODWIN)

Site Information:

Frontage & Location: 140.00'+/- on Main Street (HWY 82)

Depth: 800.00'+/-

Jurisdiction: Godwin

Adjacent Property: No

Current Use: Livestock operation & farm machinery sales

Initial Zoning: C1(P) – November 25, 1980 (Area 14)

Nonconformities: Yes, sale of farm machinery not permitted in current district; if approved, livestock operation will become legal nonconforming

Zoning Violation(s): Yes, notice not issued due to this application being submitted

Surrounding Zoning: North: C3, O&I(P), RR, R6A & A1 (Godwin); South: RR & A1 (Godwin & County); East: R40A & A1 (Godwin); West: RR (Godwin)

Surrounding Land Use: Residential (including manufactured dwellings), religious worship, post office, second-hand store, farmland & woodlands

2030 Growth Vision Plan: Urban

Northeast Cumberland Plan: Commercial

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Town of Godwin/Norcross

Soil Limitations: Yes, hydric – GR Grantham loam

School Capacity/Enrolled: District 7 Elementary: 300/268; Mac Williams Middle: 1,270/1,210; Cape Fear High: 1,425/1,585

Subdivision/Site Plan: If approved, any non-residential use will require review and approval

Average Daily Traffic Count (2008): 850 on SR 1810 (Godwin-Falcon Road)

Highway Plan: Dunn Road is identified in the Highway Plan as a Major Thoroughfare. The plan calls for widening to a multi-lane facility. No road improvements are included in the 2012-2018 STIP

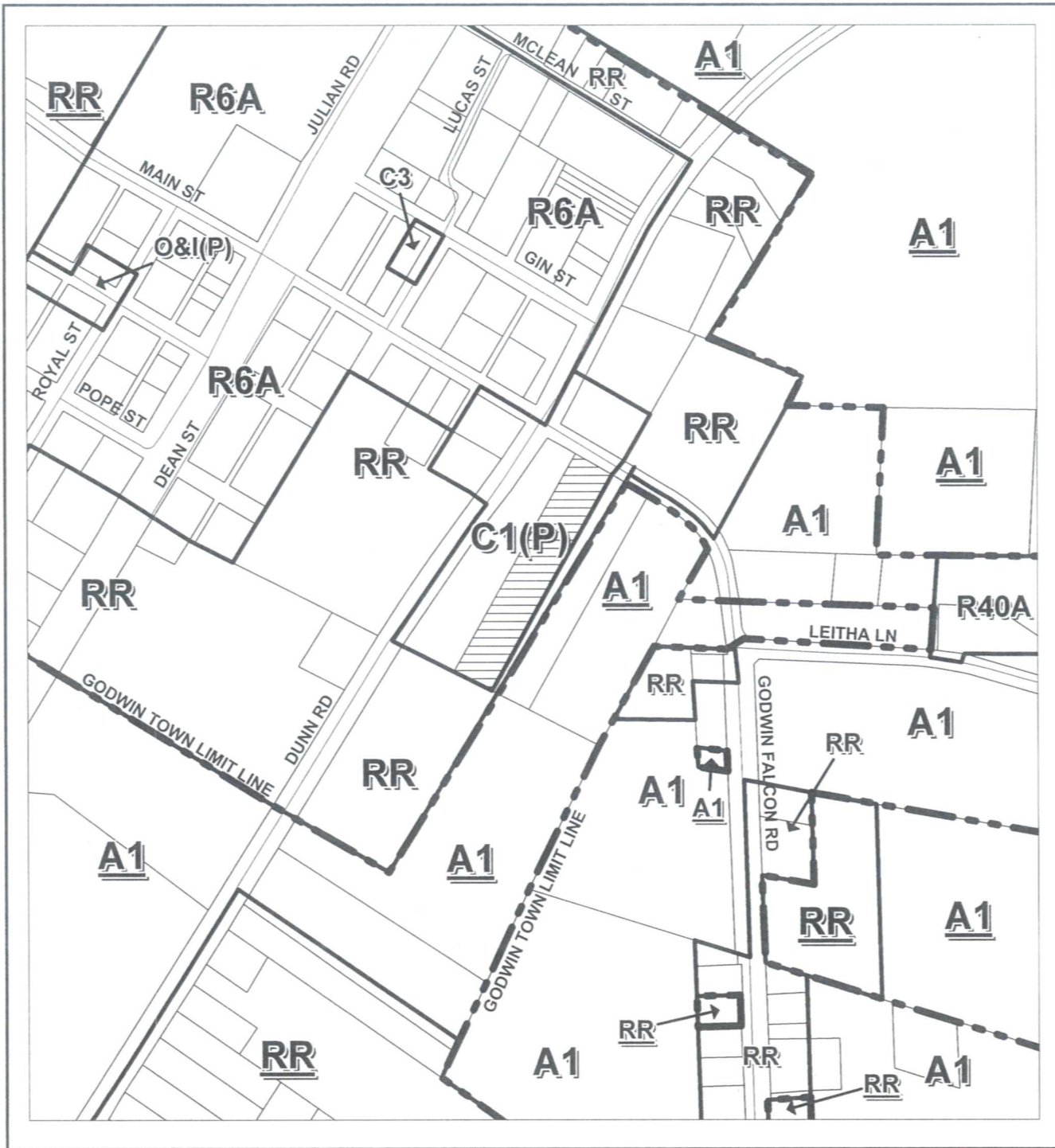
Note:

Minimum Yard Setback Regulations:

<u>C1(P)</u>	<u>C2(P)</u>
Front yard: 45'	Front yard: 50'
Side yard: 15'	Side yard: 30'
Rear yard: 20'	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 C1(P) TO C2(P)

ACREAGE: 3.00 AC.+/-

HEARING NO: P11-37

ORDINANCE: GODWIN

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD



PIN: 0593-63-2300

7-17-11
WL

Roy Turner,
Chair
Cumberland County

Walter Clark,
Vice-Chair
Cumberland County

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
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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 September 20, 2011 Board Meeting

P11-39: REZONING OF 2.53+/- ACRES FROM M(P) PLANNED INDUSTRIAL TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 508 AND 516 WEST MANCHESTER ROAD, SUBMITTED BY HERSHEL L. AND ELEANOR F. BOYD (OWNERS).

The Planning & Inspections Staff recommends approval of the request for C2(P) Planned Service and Retail District based on the following:

1. The request is both consistent with the location criteria for "light commercial" as listed in the recently adopted Land Use Policies Plan as well as with the Spring Lake Area Detailed Use Plan which calls for "planned commercial" at this location;
2. The location and character of the use will be in harmony with the surrounding area;
3. Public utilities are available to the subject property; and
4. In a location surrounded by residential, the C2(P) district is less intrusive than the M(P) district.

The C(P) Planned Commercial district could also be considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P11-39
SITE PROFILE

P11-39: REZONING OF 2.53+/- ACRES FROM M(P) PLANNED INDUSTRIAL TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 508 AND 516 WEST MANCHESTER ROAD, SUBMITTED BY HERSHEL L. AND ELEANOR F. BOYD (OWNERS).

Site Information:

Frontage & Location: 199.83'+/- on SR 1451 (W Manchester Road)

Depth: 552.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: Yes, north of subject property

Current Use: Vacant

Initial Zoning: RR – January 7, 1977 (Area 11); rezoned to M(P) on February 20, 2007

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: RR, R10 (Spring Lake) & CD; South: M(P), C(P) & RR (Spring Lake); East: M(P), C3, RR & CD; West: C3, RR & R6A

Surrounding Land Use: Residential (including manufactured homes & multi-family), manufactured home park, industrial operation not otherwise permitted, lodge, open storage, furniture refinishing & woodlands

2030 Land Use Plan: Urban

Spring Lake Land Use Plan: Planned Commercial

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Town of Spring Lake/Town of Spring Lake

Soil Limitations: Yes, hydric – WMB Wickham fine sandy loam

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

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

Municipal Influence Area: Town of Spring Lake

RLUAC: Does not object to the request but suggests the use of additional insulation in any new construction as the property has high noise levels (65db). Subject property is also within the Accident Potential Zone (APZ) of Pope Army Airfield

Average Daily Traffic Count (2008): 8,800 on SR 1451 (W Manchester 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

Note:

Minimum Yard Setback Regulations:

M(P)

Front yard: 100'

Side yard: 50'

Rear yard: 50'

C2(P)

Front yard: 50'

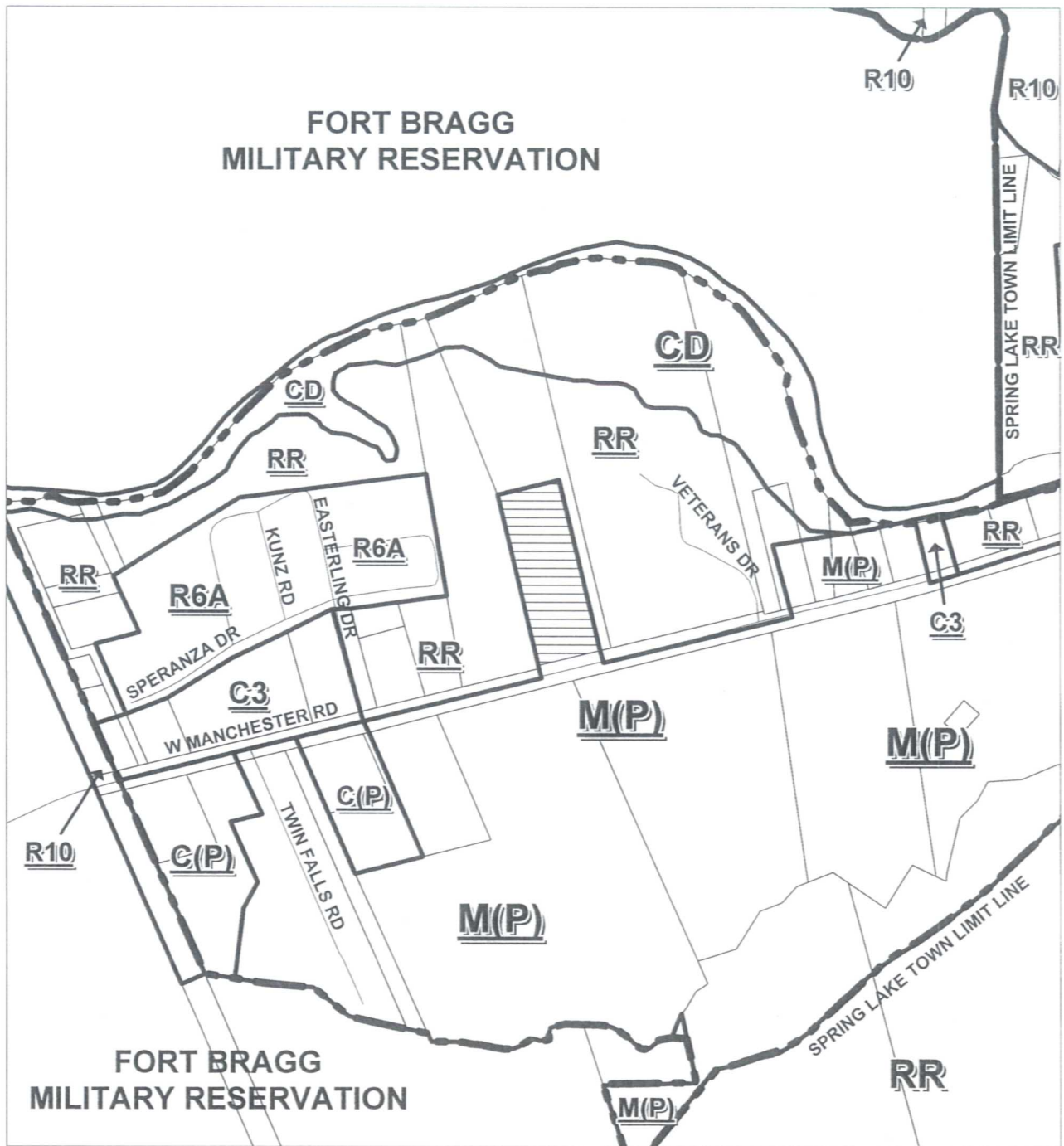
Side yard: 30'

Rear yard: 30'

First Class and Record Owners' Mailed Notice Certification

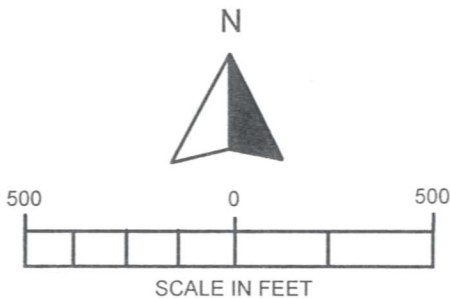
A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' certified receipt of notice is also included.

FORT BRAGG
MILITARY RESERVATION



FORT BRAGG
MILITARY RESERVATION

REQUESTED REZONING
M(P) TO C2(P)



PIN: 9592-94-9292

ACREAGE: 2.53 AC.+/-	HEARING NO: P11-39	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

Roy Turner,
Chair
Cumberland County

Walter Clark,
Vice-Chair
Cumberland County

Garland C. Hostetter,
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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 September 20, 2011 Board Meeting

P11-41: REZONING OF 1.00+/- ACRES FROM A1 AGRICULTURAL TO RR RURAL RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 7234 AND 7244 TURNBULL ROAD, SUBMITTED BY ERIC H. AND LINDA F. AVERY (OWNERS).

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

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for "rural" 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 location and character of the use will be in harmony with the surrounding area; and
3. The rezoning would create a conforming lot in the RR zoning classification.

There are no other districts considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P11-41
SITE PROFILE

P11-41: REZONING OF 1.00+/- ACRES FROM A1 AGRICULTURAL TO RR RURAL RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 7234 AND 7244 TURNBULL ROAD, SUBMITTED BY ERIC H. AND LINDA F. AVERY (OWNERS).

Site Information:

Frontage & Location: 225.00'+/- on SR 1002 (Turnbull Road)

Depth: 200.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: 2 residential structures

Initial Zoning: A1 – September 3, 1996 (Area 21)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North, South and West: A1; East: A1 & R40A

Surrounding Land Use: Residential (including manufactured homes) farmland & woodlands

2030 Growth Strategy Map: Rural

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Well/Septic

Soil Limitations: Yes, hydric – PA Pactolus loamy sand

School Capacity/Enrolled: J.W. Seabrook Elementary: 310/278; Mac Williams Middle: 1,270/1,210; Cape Fear High: 1,425/1,585

Subdivision/Site Plan: If approved, review and approval may be required prior to development

Average Daily Traffic Count (2008): 680 on SR 1002 (Turnbull 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:

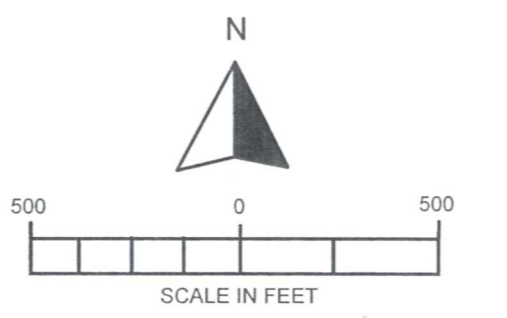
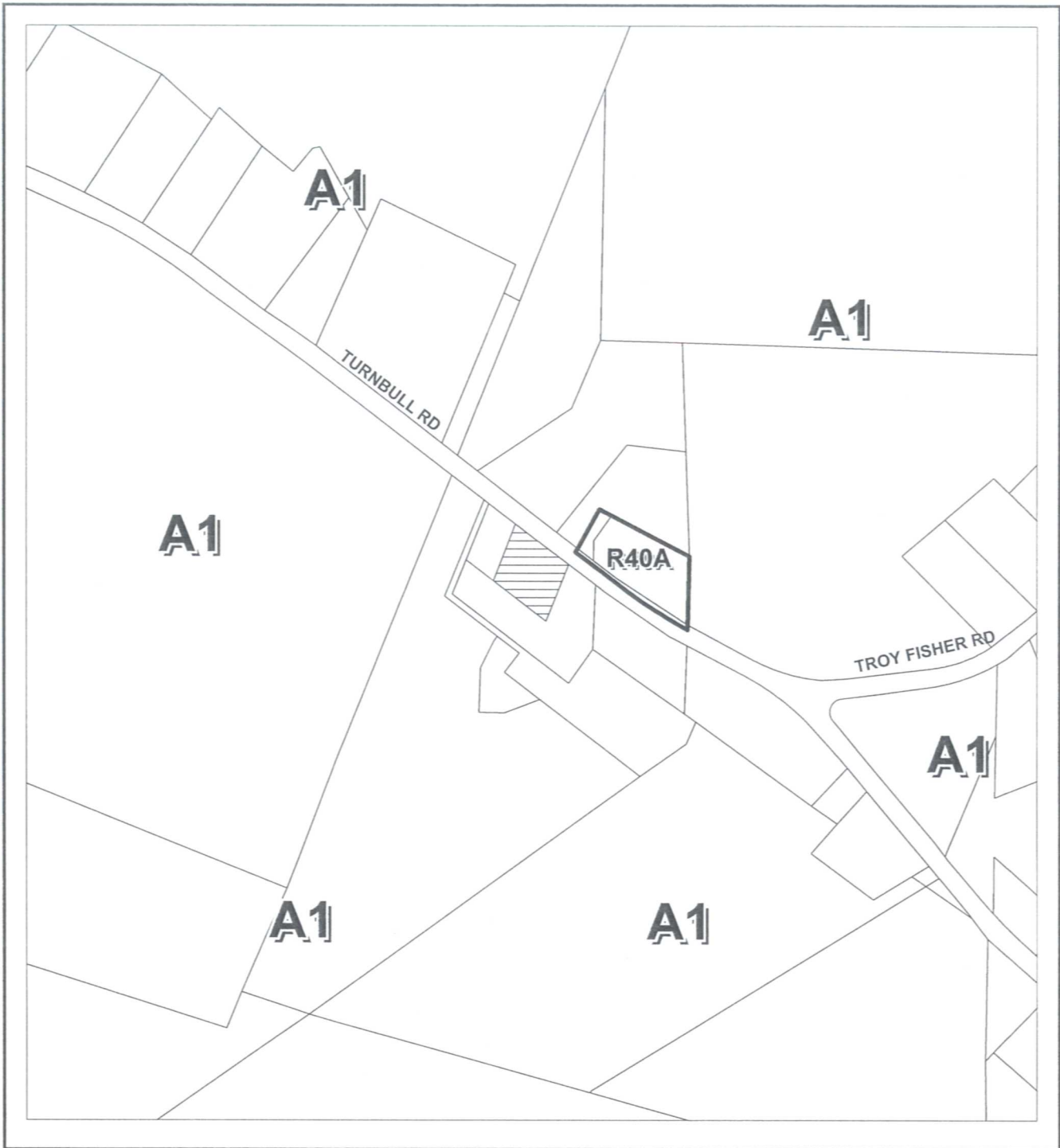
1. Density:
A1 – 1 lot/unit
R40 – 1 lot/unit
R30 – 1 lot/unit
R20 – 2 lots/units
RR – 2 lots/unit

2. Minimum Yard Setback Regulations:

<u>A1</u>	<u>R40, R30, R20 & RR</u>
Front yard: 50'	Front yard: 30'
Side yard: 20'	Side yard: 15'
Rear yard: 50'	Rear yard: 35'

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 RR

ACREAGE: 1.00 AC.+/-		HEARING NO: P11-41	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0492-00-6946

Roy Turner,
Chair
Cumberland County

Walter Clark,
Vice-Chair
Cumberland County

Garland C. Hostetter,
Town of Spring Lake
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Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

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

P11-42: REZONING OF 1.17+/- ACRES FROM R10 RESIDENTIAL TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE SOUTHWEST SIDE OF SR 1133 (GEORGE OWEN ROAD) AND EAST OF NC 59 (HOPE MILLS ROAD), SUBMITTED BY SHELBY T. TOWNSEND (OWNER).

The Planning & Inspections Staff recommends approval of the C2(P) Planned Service and Retail district for this request based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for "urban" at this location, as well as meeting the location criteria for "light commercial" development as listed in the Land Use Policies Plan;
2. The location and character of the use will be in harmony with the surrounding area;
3. Public utilities are available to the subject property; and
4. The request is consistent with recent rezonings in the general area.

The C1(P) Planned Local Business district could also be considered suitable for this request.

Attachments:

- 1- Site Profile
- 2- Sketch Map

P11-42
SITE PROFILE

P11-42: REZONING OF 1.17+/- ACRES FROM R10 RESIDENTIAL TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE SOUTHWEST SIDE OF SR 1133 (GEORGE OWEN ROAD) AND EAST OF NC 59 (HOPE MILLS ROAD), SUBMITTED BY SHELBY T. TOWNSEND (OWNER).

Site Information:

Frontage & Location: 269.00'+/- on SR 1133 (George Owen Road)

Depth: 295.35'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Vacant

Initial Zoning: R10 – November 17, 1975 (Area 4)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: M2, C3 (HM), C(P), R10 & R6A; South: C3 (HM), C(P), RR, O&I(P) (HM), R6A & CD; East: R10; West: C3 (HM), R10 & R6A

Surrounding Land Use: Residential (including manufactured homes & multi-family), motor vehicle repair, strip mall, alcoholic beverage control sales, trade contractors (2), mini-warehousing & woodlands

2030 Land Use Plan: Urban

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/PWC

Soil Limitations: None

School Capacity/Enrolled: Cumberland Mills Elementary: 630/645; Ireland Drive Middle (6): 340/346; Douglas Byrd Middle (7-8): 600/722; Douglas Byrd High: 1,280/1,220

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

Municipal Influence Area: Town of Hope Mills

Average Daily Traffic Count (2008): No data available for SR 1133 (George Owen 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:

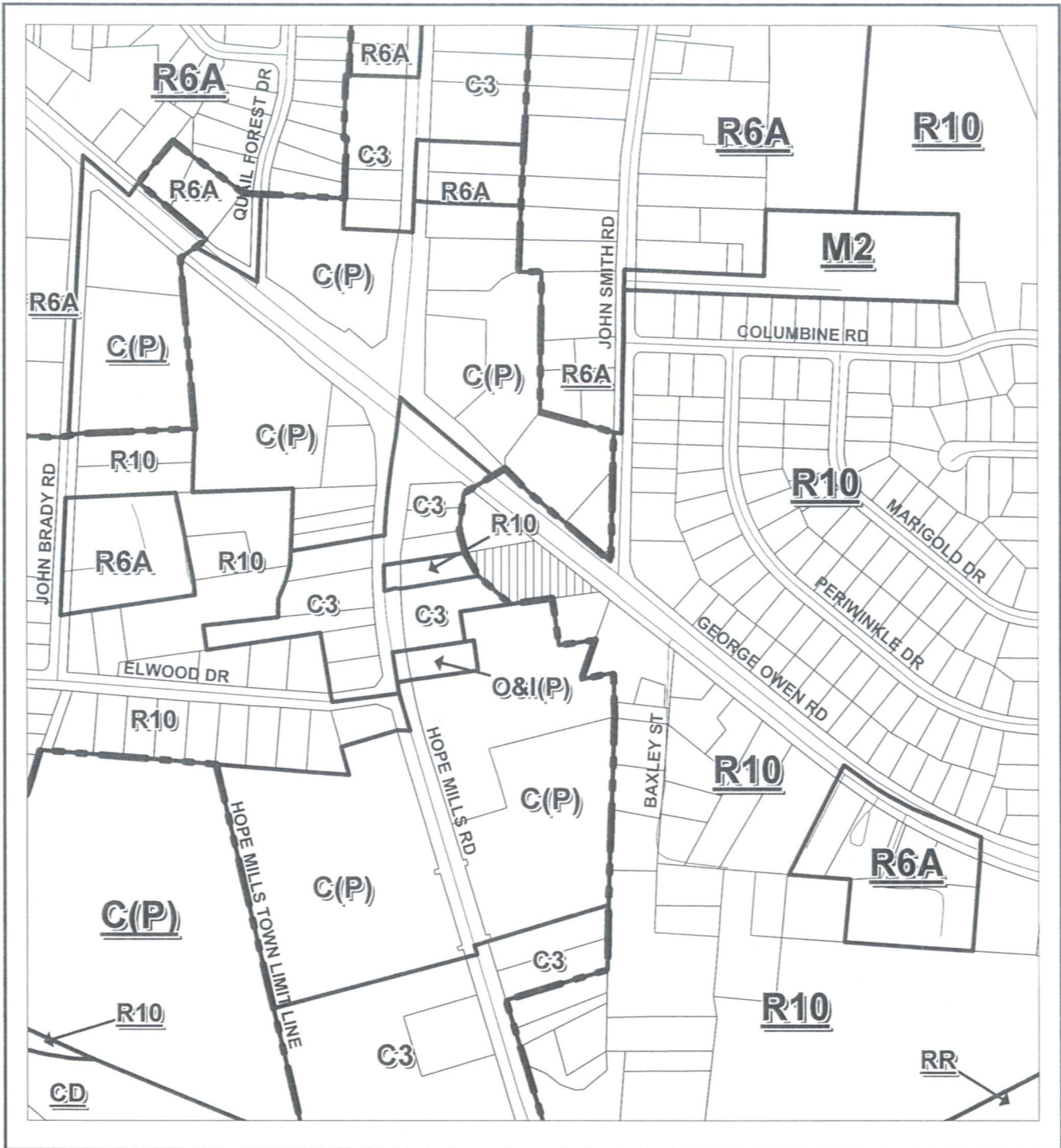
1. Density:
R10 – 7 lots/units

2. Minimum Yard Setback Regulations:

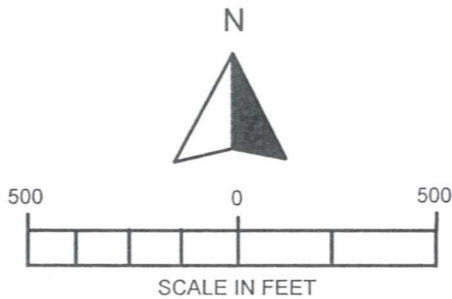
<u>R10</u>	<u>C1(P)</u>	<u>C2(P)</u>
Front yard: 30'	Front yard: 45'	Front yard: 50'
Side yard: 10'	Side yard: 15'	Side yard: 30'
Rear yard: 35'	Rear yard: 20'	Rear yard: 30'

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 TO C2(P)



PIN: 0415-02-1715

ACREAGE: 1.17 AC.+/-		HEARING NO: P11-42	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			