



Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Vikki Andrews,  
Diane Wheatley,  
Carl Manning,  
Walter Clark  
Cumberland County

Benny Pearce,  
Town of Eastover

**CUMBERLAND**  
★ **COUNTY** ★  
NORTH CAROLINA

*Planning & Inspections Department*

**TENTATIVE AGENDA**

December 16, 2014

7:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRAL/WITHDRAWAL
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. APPROVAL OF THE MINUTES OF NOVEMBER 18, 2014
- VII. PUBLIC HEARING ITEMS

TEXT AMENDMENT

**P15-03.** REVISION AND AMENDMENT TO THE COUNTY ZONING ORDINANCE, ARTICLE IV, ENTITLED PERMITTED, CONDITIONAL, AND SPECIAL USES BY AMENDING SECTION 403. USE MATRIX, FOOTNOTE NUMBER 6 AS ADOPTED BY THE TOWN OF EASTOVER AND APPLICABLE ONLY TO THOSE PROPERTIES WITHIN THE EASTOVER CORPORATE LIMITS, BY CLARIFYING THAT RESIDENTIAL DEVELOPMENTS LOCATED ON FIVE ACRES OR LESS WITH A MINIMUM OF TWO EXISTING DWELLINGS CAN BE SUBMITTED FOR CONDITIONAL ZONING APPROVAL AS A ZERO LOT LINE DEVELOPMENT WITHOUT COMPLYING WITH THE PROVISIONS OF ARTICLE VIII, DENSITY DEVELOPMENT-CONDITIONAL ZONING DISTRICT. (EASTOVER)

VIII. PUBLIC HEARING CONSENT ITEMS

REZONING CASE

**P14-60.** REZONING OF 11.20+/- ACRES FROM A1 AGRICULTURAL TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3159 SANDEROSA ROAD, SUBMITTED BY JAMES M. COOPER ON BEHALF OF TEMPLE BAPTIST CHURCH, INC. (OWNER). (COUNTY)

IX. PUBLIC HEARING CONTESTED ITEMS

X. DISCUSSION

DIRECTOR'S UPDATE

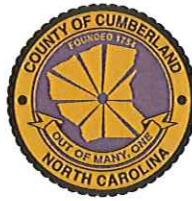
XI. ADJOURNMENT

Patricia Hall,  
Chair  
Town of Hope Mills

Charles C. Morris,  
Vice-Chair  
Town of Linden

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

Donovan McLaurin  
Wade, Falcon & Godwin



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**MEMORANDUM**

**TO:** Cumberland County Joint Planning Board  
**FROM:** Planning and Inspections Staff  
**SUBJECT:** Staff Recommendation for the December 16, 2014 Board Meeting

**P15-03.** REVISION AND AMENDMENT TO THE COUNTY ZONING ORDINANCE, ARTICLE IV, ENTITLED PERMITTED, CONDITIONAL, AND SPECIAL USES BY AMENDING SECTION 403. USE MATRIX, FOOTNOTE NUMBER 6 AS ADOPTED BY THE TOWN OF EASTOVER AND APPLICABLE ONLY TO THOSE PROPERTIES WITHIN THE EASTOVER CORPORATE LIMITS, BY CLARIFYING THAT RESIDENTIAL DEVELOPMENTS LOCATED ON FIVE ACRES OR LESS WITH A MINIMUM OF TWO EXISTING DWELLINGS CAN BE SUBMITTED FOR CONDITIONAL ZONING APPROVAL AS A ZERO LOT LINE DEVELOPMENT WITHOUT COMPLYING WITH THE PROVISIONS OF ARTICLE VIII, DENSITY DEVELOPMENT-CONDITIONAL ZONING DISTRICT. (EASTOVER)

**1<sup>ST</sup> MOTION**

The Planning and Inspections Staff recommends approval of Case No. P15-03 for a text amendment revising the zero lot line development criteria within the Town of Eastover based on the following:

1. If approved, the proposed amendment would exclude Density Development standards from being applied when a Zero Lot Line Conditional Zoning is submitted if the tract is five acres or less and contains no more than two dwellings; and
2. The amendment was recommended to the Eastover Town Council by the staff so that re-development/development of existing smaller residential parcels can be facilitated.

**2<sup>nd</sup> MOTION**

The Planning and Inspections Staff recommends the board find that approval of the text amendment in Case No. P15-03 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, in particular with the Policies and Actions of: Policy Area 1: A More Diversified Local Economy; Policy Area 2: Well Managed Growth and Development; and Policy Area 7: Preserved Open Space and Rural Character. The proposed amendment is also consistent with the Eastover Detailed Land Use Plan as it will afford the town council the opportunity to ensure the rural character of the town is retained, which is the stated primary goal of the plan.

The staff further recommends the board find that approval of the text amendment is reasonable and in the public interest because the town council's vision has been to ensure growth is consistent with the community values that include the aforementioned, protecting existing trees where possible, and development patterns that provide mostly one to three acre single family lots.

Attachment: P15-03 County Zoning Ordinance Text Amendment

130 Gillespie Street - Post Office Box 1829 - Fayetteville, North Carolina 28302-1829 - (910) 678-7600 - Fax: (910) 678-7631

**P15-03**  
**EASTOVER ZONING ORDINANCE TEXT AMENDMENT**  
(ZLL Exception for 5 Acre Residential Tracts w/ Existing Dwellings)

**P15-03.** REVISION AND AMENDMENT TO THE COUNTY ZONING ORDINANCE, ARTICLE IV, ENTITLED PERMITTED, CONDITIONAL, AND SPECIAL USES BY AMENDING SECTION 403. USE MATRIX, FOOTNOTE NUMBER 6 AS ADOPTED BY THE TOWN OF EASTOVER AND APPLICABLE ONLY TO THOSE PROPERTIES WITHIN THE EASTOVER CORPORATE LIMITS, BY CLARIFYING THAT RESIDENTIAL DEVELOPMENTS LOCATED ON FIVE ACRES OR LESS WITH A MINIMUM OF TWO EXISTING DWELLINGS CAN BE SUBMITTED FOR CONDITIONAL ZONING APPROVAL AS A ZERO LOT LINE DEVELOPMENT WITHOUT COMPLYING WITH THE PROVISIONS OF ARTICLE VIII, DENSITY DEVELOPMENT-CONDITIONAL ZONING DISTRICT. (EASTOVER)

**AMEND Article IV. Permitted, Conditional, and Special Uses, Footnote number 6 as indicated on the next page.**



**SECTION 403 USE MATRIX**

P = PERMITTED USE  
 S = SPECIAL USE (Sec. 1606 – Bd of Adj approval required)  
 Z = CONDITIONAL ZONING (Art V – Town Council approval required)

LAND USES	ZONING CLASSIFICATIONS																			
	CD	A1	R40	R40A	R30	R30A	RR	R20	R20A	R15	R7.5	R6	R6A	R5A	O&I(P)	C1(P)	C2(P)	C(P)	M1(P)	M(P)
TRADES CONTRACTOR ACTIVITIES, with or without outside storage of equipment or supplies																	P	P	P	P
TRAILER RENTALS, including terminal activities, hauling and/or storage, incidental to same, but excluding mini-warehousing as defined herein																		P	P	p
TRUCK TERMINAL ACTIVITIES, repair & hauling and/or storage																		P	P	P
UPHOLSTERING OR FURNITURE REFINISHING																	P	P	P	P
VARIETY, GIFT AND HOBBY SUPPLY SALES																P	P	P		
VENDING MACHINE RENTAL																		P	P	P
VETERINARIAN (Sec. 916)		P	P	P			P									P	P	P		
WHOLESALE SALES, with operations conducted and merchandise stored entirely within a building and not otherwise listed herein																		P	P	P
WIRELESS COMMUNICATIONS & ACCESSORY SALES																P	P	P		
ZERO LOT LINE Development (Subdivision Ordinance)	Z <sup>5</sup>	Z	Z	Z	Z <sup>6</sup>	Z <sup>6</sup>	Z <sup>6</sup>	Z <sup>6</sup>	Z <sup>6</sup>	Z <sup>6</sup>	Z <sup>6</sup>	Z <sup>6</sup>	Z <sup>6</sup>	Z <sup>6</sup>	Z <sup>7</sup>	Z <sup>7</sup>	Z <sup>7</sup>	Z <sup>7</sup>	Z	Z

<sup>5</sup> See Sec. 1101.H, Lot Area Exceptions in Conservancy Districts

<sup>6</sup> Except for townhouses and developments located on a maximum of five acres with a minimum of two existing residential dwellings, single family residential zero lot line developments shall be submitted under Article VIII, Density Development-Conditional Zoning District

<sup>7</sup> All residential uses shall be submitted under Article VI, Mixed Use Development-Conditional Zoning District or Sec. 914.1, Mixed Use Building; if located within Eastover Commercial Core Overlay District, Article VIII.I governs

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**P14-60.** REZONING OF 11.20+/- ACRES FROM A1 AGRICULTURAL TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3159 SANDEROSA ROAD, SUBMITTED BY JAMES M. COOPER ON BEHALF OF TEMPLE BAPTIST CHURCH, INC. (OWNER).

**1<sup>st</sup> MOTION**

The Planning and Inspections Staff recommends denial of the requested district of C2(P) Planned Service and Retail but approval of the O&I(P) Planned Office and Institutional district. The Planning and Inspections Staff further recommends the board find that approval of the O&I(P) Planned Office and Institutional district in Case No. P14-60 is generally consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "urban fringe" at this location because the district requested will allow for a limited amount of neighborhood oriented non-residential uses on relatively large lots for an urban area. The request is also consistent with the Eastover Area Detailed Land Use Plan, which calls for "heavy commercial" at this location and the general area already contains several non-residential uses and will likely trend to more non-residential uses given the close proximity to I-95.

The staff also recommends the board further find that approval of the recommended rezoning is reasonable and in the public interest because the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *public water and sewer are desirable, public water is available; direct access to a public street is required, Sanderosa Road is a public street; if not developed in an office park, should serve as a transition between commercial and residential uses; and must be located on a sufficient site that provides adequate area for buffering, screening and landscaping.*

**2<sup>nd</sup> MOTION**

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P14-60 for O&I(P) Planned Office and Institutional based on the following :

- Approval of the request would be logical as it would provide sufficiently zoned office and institutional areas to accommodate the needs of County and Eastover area residents.

The applicant has verbally agreed with the staff recommendation. There are no other districts considered suitable for this request.

Attachments: 1 – Site Profile 2 – Sketch Map



**P14-60**  
**SITE PROFILE**

**P14-60.** REZONING OF 11.20+/- ACRES FROM A1 AGRICULTURAL TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3159 SANDEROSA ROAD, SUBMITTED BY JAMES M. COOPER ON BEHALF OF TEMPLE BAPTIST CHURCH, INC. (OWNER).

**Site Information:**

**Frontage & Location:** 902.21'+/- on SR 1833 (Sanderosa Road)

**Depth:** 789.25'+/-

**Jurisdiction:** Cumberland County

**Adjacent Property:** No

**Current Use:** Religious worship

**Initial Zoning:** A1 – April 26, 1979 (Area 8)

**Nonconformities:** None

**Zoning Violation(s):** None

**Surrounding Zoning:** North: C2(P)/CZ (Eastover) (retail store), C(P), R40 (Eastover), RR (Eastover), R6A (Eastover) & A1 (Eastover); South: HS(P), R40A, RR & A1; East: A1; West: HS(P)/CU (Eastover) (emergency personnel training), C(P) (Eastover), RR (Eastover) & A1 (Eastover)

**Surrounding Land Use:** Residential (including manufactured homes), vacant commercial structure, office, motor vehicle storage, farmland & woodlands

**2030 Growth Vision Plan:** Urban fringe

**Eastover Area Detailed Land Use Plan:** Heavy commercial

**Special Flood Hazard Area (SFHA):** None

**Water/Sewer Availability:** ESD/Septic

**Soil Limitations:** None

**School Capacity/Enrolled:** Armstrong Elementary: 450/419; Mac Williams Middle: 1,270/1,163; Cape Fear High: 1,425/1,570

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

**Municipal Influence Area:** Town of Eastover

**Average Daily Traffic Count (2012):** 700 on SR 1833 (Sanderosa Road)

**Highway Plan:** There are no road improvements/constructions specified for Sanderosa Road in the 2040 MTP. I-95 is scheduled to be widened in fiscal year 2019 (I-4745) which may affect the subject property

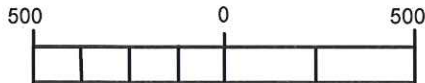
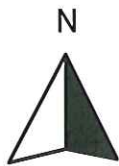
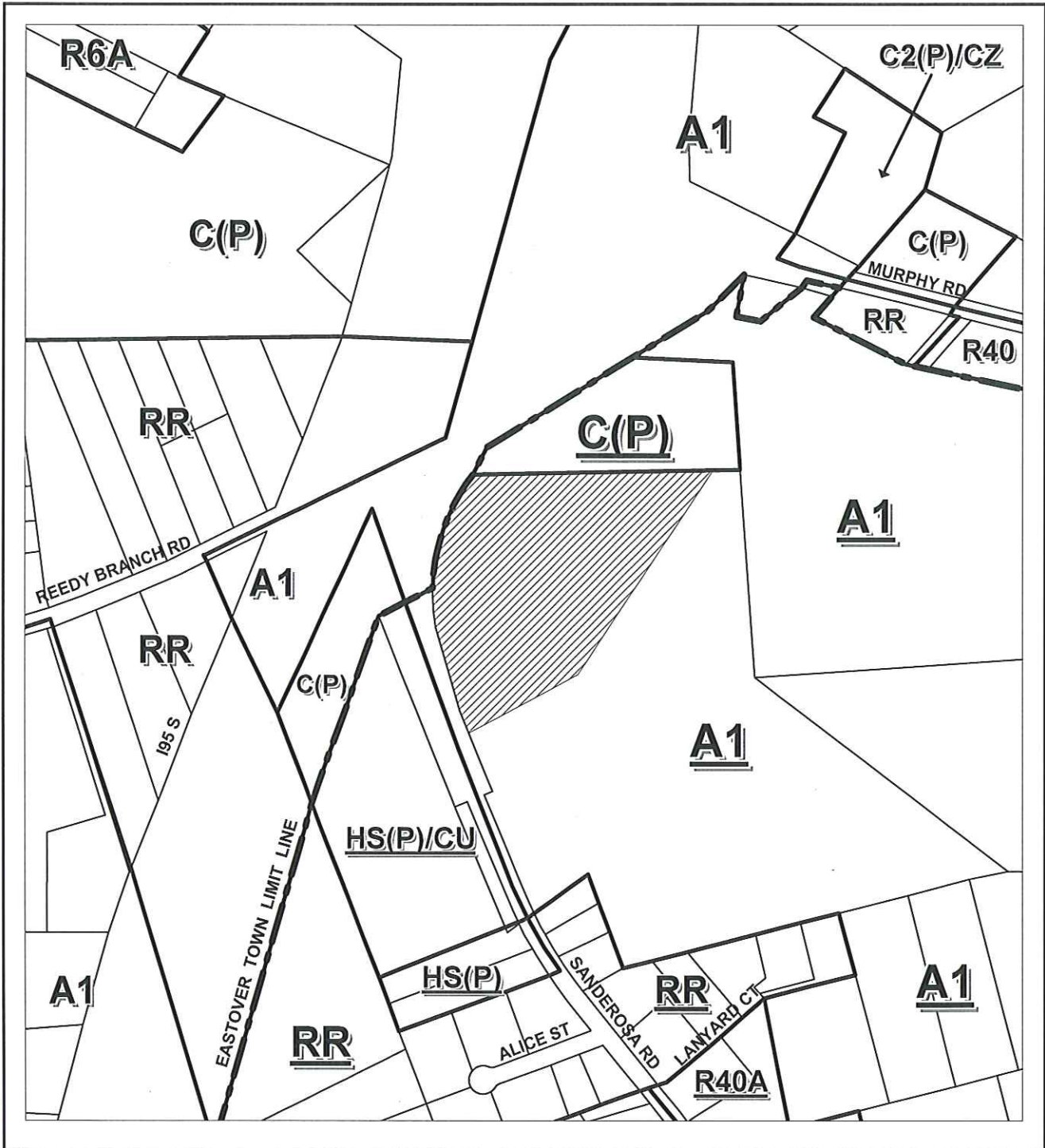
**Notes:**

1. Density:  
A1 – 5 lots/units
  
2. Minimum Yard Setback Regulations:

<u>A1</u>	<u>C2(P)</u>
Front yard: 50'	Front yard: 50'
Side yard: 20'	Side yard: 30'
Rear yard: 50'	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.*



SCALE IN FEET

PORT OF PIN: 0468-43-2118

## REQUESTED REZONING A1 TO C2(P)

<b>ACREAGE: 11.20 AC.+/-</b>		<b>HEARING NO: P14-60</b>
<b>ORDINANCE: COUNTY</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>STAFF RECOMMENDATION</b>		
<b>PLANNING BOARD</b>		
<b>GOVERNING BOARD</b>		