

Patricia Hall,
Chair
Town of Hope Mills

Charles Morris,
Vice-Chair
Town of Linden

Jami McLaughlin,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman

Donovan McLaurin,
Wade, Falcon & Godwin



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

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

Benny Pearce,
Town of Eastover

TENTATIVE AGENDA

June 16, 2015
7:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRAL

P15-31. REZONING OF .73+/- ACRE FROM R10 RESIDENTIAL TO O&I(P) PLANNED OFFICE AND INSTITUTIONAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2444 AND 2448 HOPE MILLS ROAD, SUBMITTED BY RAFFAELLA AND MICHELE MASSA (OWNERS). (COUNTY) DEFERRED UNTIL AUGUST 18, 2015

- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. APPROVAL OF THE MINUTES OF MAY 19, 2015
- VII. PUBLIC HEARING CONSENT ITEMS

REZONING CASES

- A. **P15-32. INITIAL ZONING OF 20.22+/- ACRES TO R7.5 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHWEST SIDE OF SR 1115 (BLACK BRIDGE ROAD), SOUTHEAST OF HOME STAKES DRIVE; OWNED BY CAVINESS LAND DEVELOPMENT, INC. (HOPE MILLS)**
- B. **P15-33. REZONING OF 32.15+/- ACRES FROM R30 RESIDENTIAL, RR RURAL RESIDENTIAL AND R15 RESIDENTIAL TO R20 RESIDENTIAL AND CD CONSERVANCY OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED SOUTHWEST OF SR 1714 (RIVER ROAD), NORTHWEST OF SR 1716 (POWELL STREET); SUBMITTED BY DONOVAN MCLAURIN ON BEHALF OF MCLAURIN COMPANY, INC. (OWNER) AND WILLIAM B. SNIVELY, PLS. (WADE)**
- C. **P15-34. REZONING OF 3.18+/- ACRES FROM R6A RESIDENTIAL TO M(P) PLANNED INDUSTRIAL AND CD CONSERVANCY OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 7133 AND 7139 POWELL STREET, SUBMITTED BY DONOVAN MCLAURIN ON BEHALF OF MCLAURIN COMPANY, INC. (OWNER) AND WILLIAM B. SNIVELY, PLS. (WADE)**
- D. **P15-35. REZONING OF .78+/- ACRE FROM R6A RESIDENTIAL TO R15 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST**

SIDE OF SR 1714 (RIVER ROAD), NORTH OF BOWDEN STREET; SUBMITTED BY DONOVAN MCLAURIN ON BEHALF OF MCLAURIN COMPANY, INC. (OWNER) AND WILLIAM B. SNIVELY, PLS. (WADE)

- E. **P15-36.** REZONING OF .42+/- ACRE FROM R6A RESIDENTIAL TO R6 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHEAST SIDE OF SR 1714 (CHURCH STREET), SOUTHWEST OF LOFTON STREET; SUBMITTED BY DONOVAN MCLAURIN ON BEHALF OF MCLAURIN COMPANY, INC. (OWNER) AND WILLIAM B. SNIVELY, PLS. (WADE)
- F. **P15-37.** REZONING OF 1.50+/- ACRES FROM R6A RESIDENTIAL TO R6 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 4038 LOFTON STREET AND ON THE SOUTH SIDE OF LOFTON STREET, NORTH SIDE OF SR 1714 (CHURCH STREET); SUBMITTED BY DONOVAN MCLAURIN ON BEHALF OF MCLAURIN COMPANY, INC. (OWNER) AND WILLIAM B. SNIVELY, PLS. (WADE)

CONDITIONAL ZONING DISTRICT

- G. **P15-38.** REZONING OF 4.40+/- ACRES FROM R5 RESIDENTIAL TO MXD MIXED USE/CZ CONDITIONAL ZONING OR TO A MORE RESTRICTIVE ZONING DISTRICT AND REVISING THE EXISTING MXD PLAN; LOCATED ON THE NORTH SIDE OF SR 1112 (ROCKFISH ROAD), SOUTHEAST OF SR 1003 (CAMDEN ROAD); SUBMITTED BY D. RALPH HUFF III ON BEHALF OF LANDSTONE, LLC. (OWNER). (HOPE MILLS)

VIII. PUBLIC HEARING CONTESTED ITEMS

REZONING CASE

- H. **P15-30.** REZONING OF 2.90+/- ACRES FROM C1(P) PLANNED LOCAL BUSINESS TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED IN THE SOUTHEASTERN QUADRANT OF NC HWY 301 (DUNN ROAD) AND NC HWY 82 (MAIN STREET), SUBMITTED BY DONALD M. AND BONNIE J. MCINTYRE (OWNERS). (GODWIN)

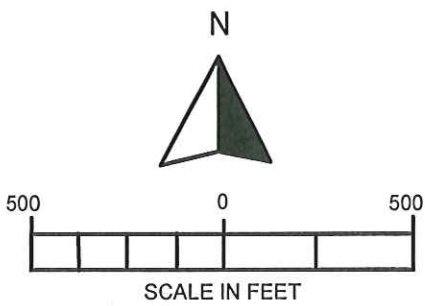
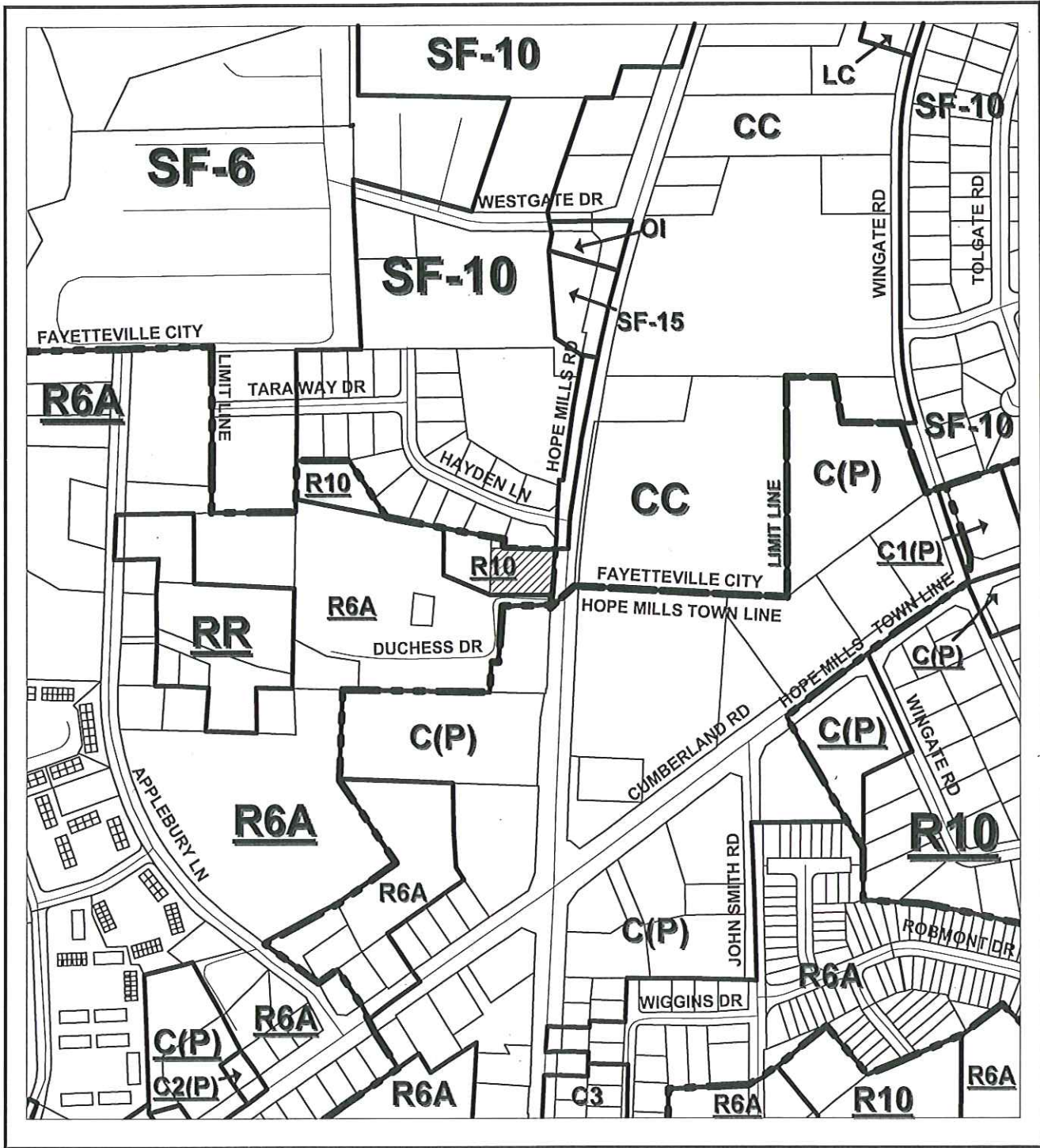
CONDITIONAL ZONING CASE

- I. **P15-26.** REZONING OF 1.33+/- ACRES FROM C2(P) PLANNED SERVICE AND RETAIL TO C1(P) PLANNED LOCAL BUSINESS/CZ CONDITIONAL ZONING FOR A CONVENIENCE STORE WITH GASOLINE SALES AND RESTAURANT OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHWEST SIDE OF SR 1112 (ROCKFISH ROAD), SOUTH OF WELL STREET; SUBMITTED BY PAT MOLAMPHY ON BEHALF OF ALBEMARLE OIL COMPANY (OWNER) AND CLARK CAMPBELL, ESQUIRE. (HOPE MILLS)

IX. DISCUSSION

DIRECTOR'S UPDATE

X. ADJOURNMENT



REQUESTED REZONING R10 TO O&I(P)

ACREAGE: 0.73 AC. +/-	HEARING NO: P15-31	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0405-97-7852

JM

Patricia Hall,
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June 9, 2015

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the June 16, 2015 Board Meeting

P15-32. INITIAL ZONING OF 20.22+/- ACRES TO R7.5 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHWEST SIDE OF SR 1115 (BLACK BRIDGE ROAD), SOUTHEAST OF HOME STAKES DRIVE; OWNED BY CAVINESS LAND DEVELOPMENT, INC. (HOPE MILLS)

1st MOTION

The Planning and Inspections Staff recommends approval of the initial zoning for Case No. P15-32 to R7.5 Residential district based on the following:

1. Approving the R7.5 zoning district would allow for land uses and lot sizes that exist in the general area; and
2. The request was submitted by the Town of Hope Mills.

The R15 and R20 Residential districts could also be considered suitable at this location.

2nd MOTION

The Staff also recommends the board find that approval of the initial zoning to R7.5 for Case No. P15-32 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan* because the Plan calls for “urban” and “urban fringe” development at this location as the proposed district would allow development at 2.2 to 6 units per acre. The requested districts are also consistent with the Southwest Cumberland Land Use Plan map which calls for “low density residential” at this location.

The staff recommends the board further find that approval of the initial zoning to R7.5 is reasonable and in the public interest because the districts requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *public or community water and public sewer required*, PWC water and sewer are available; *must have direct access to a public street*, Black Bridge Road is a public street; *desirable to be within three miles of a recreation area or facility*, recreation areas are located within one mile; *must not be located in any defined critical area as defined by the Fort Bragg Small Area Study* and *desirable to not be located in the Special Flood Hazard Area (SFHA)*.

Attachments:
1 – Site Profile
2 – Sketch Map

P15-32
SITE PROFILE

P15-32. INITIAL ZONING OF 20.22+/- ACRES TO R7.5 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHWEST SIDE OF SR 1115 (BLACK BRIDGE ROAD), SOUTHEAST OF HOME STAKES DRIVE; OWNED BY CAVINESS LAND DEVELOPMENT, INC. (HOPE MILLS)

Site Information:

Frontage: 1,066.51'+/- on SR 1115 (Black Bridge Road) & 830.00'+/- on Tumbleweed Drive

Depth: 1,020.51'+/-

Jurisdiction: Town of Hope Mills (annexation effective May 4, 2015)

Adjacent Property: No

Current Use: Woodlands

Initial Zoning: RR – February 3, 1977 (Area 7); rezoned to R7.5 on May 19, 2014

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: RR, R10 (Hope Mills) & R5A (Hope Mills); South: RR & R10; East & West: RR

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

2030 Land Use Plan: Urban & Urban Fringe

Southwest Cumberland Land Use Plan: Low Density Residential

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/PWC

Soil Limitations: None

School Capacity/Enrolled:

Subdivision/Site Plan: Case No. 14-116 for 51 lot residential subdivision approved

Average Daily Traffic Count (2012): 3,500 on SR 1115 (Black Bridge Road)

Highway Plan: Black Bridge Road is identified in the Highway Plan as a Minor Arterial. There are no road improvements/constructions specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Program; however, the subject property may be impacted by the Outer Loop Project

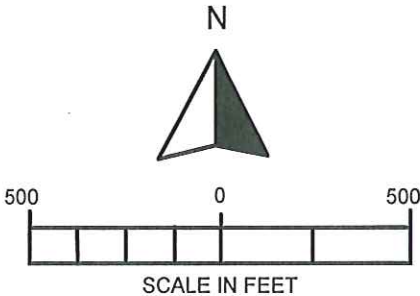
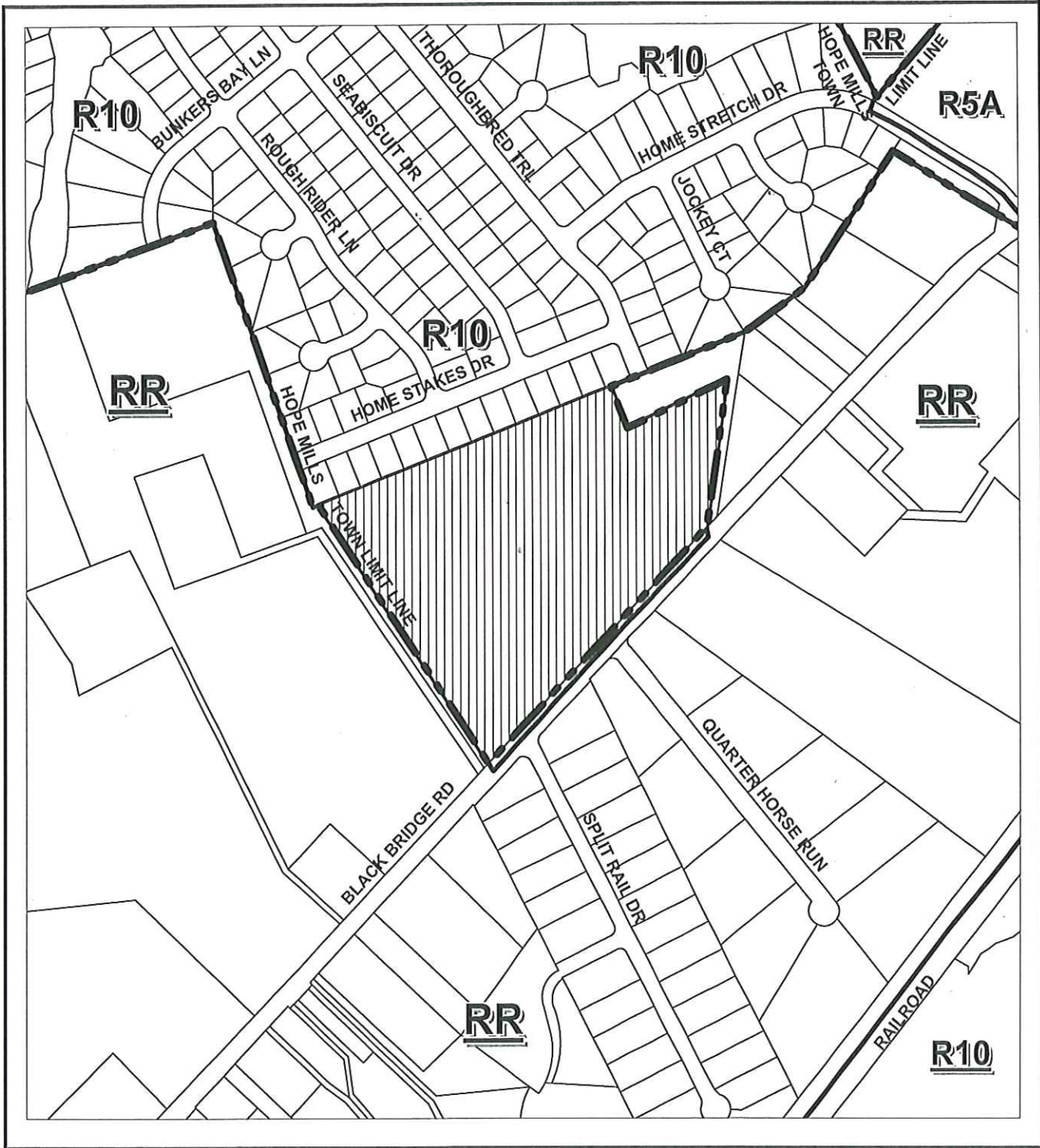
Notes:

1. Density (minus 15% for R/W):
R7.5 – 116 lots/units (99 lots/units)
R15 – 59 lots/units (50 lots/units)
R20 – 44 lots/units (37 lots/units)

2. Minimum Yard Setback Regulations:
R7.5, R15 & R20
Front yard: 30'
Side yard: 10'
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.



INITIAL ZONING TO R7.5

ACREAGE: 20.22 AC.+/-	HEARING NO: P15-32	
ORDINANCE: HOPE MILLS	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

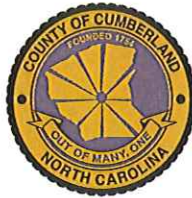
PIN: 0403-56-8794

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Town of Eastover

June 9, 2015

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the June 16, 2015 Board Meeting

P15-33. REZONING OF 32.15+/- ACRES FROM R30 RESIDENTIAL, RR RURAL RESIDENTIAL AND R15 RESIDENTIAL TO R20 RESIDENTIAL AND CD CONSERVANCY OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED SOUTHWEST OF SR 1714 (RIVER ROAD), NORTHWEST OF SR 1716 (POWELL STREET); SUBMITTED BY DONOVAN MCLAURIN ON BEHALF OF MCLAURIN COMPANY, INC. (OWNER) AND WILLIAM B. SNIVELY, PLS. (WADE)

1st MOTION

The Planning and Inspections Staff recommends approval of Case No. P15-33 for R20 Residential and CD Conservancy district based on the following:

1. The R20 Residential district will allow for land uses and lot sizes that exist in the general area and the CD Conservancy district will serve as a natural buffer and protect the rural viewshed from nearby industrial operations; and
2. If approved, the rezoning would be consistent with the many adjacent properties under the same ownership.

There are no other districts considered suitable at this location.

2nd MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P15-33 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “community growth area” at this location as the proposed districts will provide for the development and redevelopment of smaller/freestanding communities. Although the request is not consistent with the Wade Land Use Plan which calls for “low density residential” at this location the requested districts are logical since, if approved, they will allow for lot sizes and uses consistent with those of a rural community.

The staff recommends the board further find that approval of this 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: *septic system allowed based on soil type, lot size, and distance from public sewer; must have direct access to a public street; and must not be located in any defined critical area as defined by the Fort Bragg Small Area Study.*

Attachments:

1 – Site Profile 2 – Sketch Map

P15-33
SITE PROFILE

P15-33. REZONING OF 32.15+/- ACRES FROM R30 RESIDENTIAL, RR RURAL RESIDENTIAL AND R15 RESIDENTIAL TO R20 RESIDENTIAL AND CD CONSERVANCY OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED SOUTHWEST OF SR 1714 (RIVER ROAD), NORTHWEST OF SR 1716 (POWELL STREET); SUBMITTED BY DONOVAN MCLAURIN ON BEHALF OF MCLAURIN COMPANY, INC. (OWNER) AND WILLIAM B. SNIVELY, PLS. (WADE)

Site Information:

Frontage & Location: 933.59'+/- on SR 1716 (Powell Street)

Depth: 2,220.00'+/-

Jurisdiction: Town of Wade

Adjacent Property: Yes, northwest, west & east of subject property

Current Use: Vacant land

Initial Zoning: RR & R15 – November 25, 1980 (Area 14); some portions annexed & initially zoned R30 & R15 – October 24, 1990

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: M2, R30, R15 & A1; South: RR, R6 & A1; East: M(P), M2, RR, R15 & R6A; West: R30, RR & R15

Surrounding Land Use: Residential (including manufactured dwellings), trade contractor, industrial operation not otherwise prohibited, fire department, farmland & woodlands

2030 Growth Vision Plan: Community Growth Area

Wade Land Use Plan: Low Density Residential

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Town of Wade/Norcross

Soil Limitations: Yes, hydric – CF Cape Fear loam

School Capacity/Enrolled:

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

Watershed: Yes

Average Daily Traffic Count (2012): 1,200 on SR 1714 (Church Street)

Highway Plan: In the Highway Plan Powell Street is a Local Road and River Road is a Minor Collector. 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:

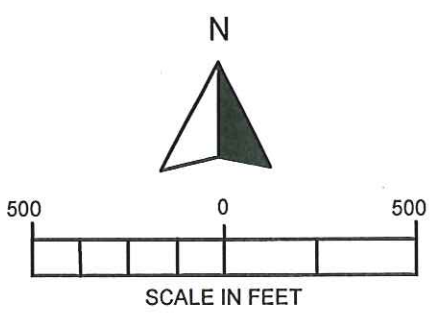
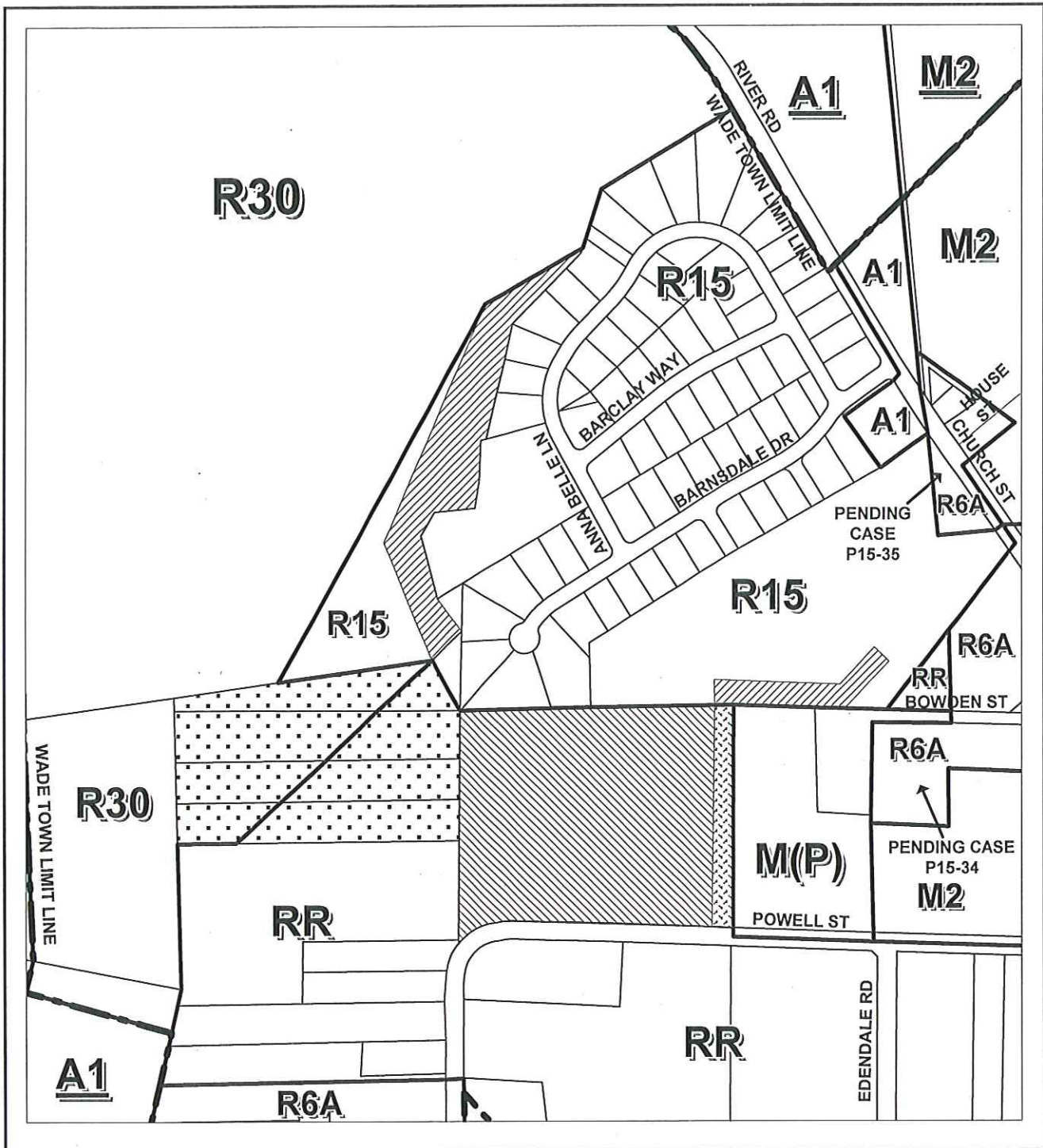
1. Density (minus 15% for ROW):
R20 – 30 lots/units (26 lots/units) *for 13.96+/- acre portion

2. Minimum Yard Setback Regulations:

<u>R30, RR, R20 & R15</u>	<u>CD</u>
Front yard: 30'	Front yard: 100'
Side yard: 15'	Side yard: 50'
Rear yard: 35'	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.



REQUESTED REZONING

 R15 TO CD 4.84 AC	 R30 & RR TO CD 12.24 AC	 RR TO R20 13.96 AC	 RR TO CD 1.11 AC
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ACREAGE: 32.15 AC.+/-		HEARING NO: P15-33	
ORDINANCE: WADE	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0571-64-3691
 PIN: 0571-55-4040
 PIN: 0571-54-2885,1699,1526,8919,7844,6669,5596
 PORT. OF PIN: 0571-65-8463
 PORT. OF PIN: 0571-65-2950



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Planning & Inspections Department

June 9, 2015

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the June 16, 2015 Board Meeting

P15-34. REZONING OF 3.18+/- ACRES FROM R6A RESIDENTIAL TO M(P) PLANNED INDUSTRIAL AND CD CONSERVANCY OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 7133 AND 7139 POWELL STREET, SUBMITTED BY DONOVAN MCLAURIN ON BEHALF OF MCLAURIN COMPANY, INC. (OWNER) AND WILLIAM B. SNIVELY, PLS. (WADE)

1st MOTION

The Planning and Inspections Staff recommends the approval of Case No. P15-34 for M(P) Planned Industrial and CD Conservancy district based on the following:

- The request for the M(P) Planned Industrial district is logical as that portion of the subject property was initially zoned R6A Residential in 1980 and has remained legal nonconforming due to the pre-existing industrial operation on site and the CD Conservancy district would serve as a natural buffer for the adjacent residential property.

There are no other districts considered suitable at this location.

2nd MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P15-34 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “community growth area” at this location and would bring a nonconformity into compliance. Although the request is not consistent with the Wade Land Use Plan which calls for “low density residential” at this location the request is a logical extension of the industrial zoning.

The staff recommends the board further find that approval of this 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 required; should have a minimum access to an arterial street; must be located on large tracts that provide adequate area for buffering, screening, and landscaping unless located in an existing or proposed heavy industrial/ manufacturing area and outside the Special Flood Hazard Area (100-year Flood Area).*

Attachments:
1 – Site Profile
2 – Sketch Map

P15-34
SITE PROFILE

P15-34. REZONING OF 3.18+/- ACRES FROM R6A RESIDENTIAL TO M(P) PLANNED INDUSTRIAL AND CD CONSERVANCY OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 7133 AND 7139 POWELL STREET, SUBMITTED BY DONOVAN MCLAURIN ON BEHALF OF MCLAURIN COMPANY, INC. (OWNER) AND WILLIAM B. SNIVELY, PLS. (WADE)

Site Information:

Frontage & Location: 360.00'+/- on Bowden Street

Depth: 600.00'+/-

Jurisdiction: Town of Wade

Adjacent Property: Yes, northwest of subject property

Current Use: Industrial operation (pallet manufacturing)

Initial Zoning: R6A – November 25, 1980 (Area 14)

Nonconformities: Yes, industrial operation not permitted in residential district

Zoning Violation(s): None

Surrounding Zoning: North: M2, R30, RR, R15, R6A, R6 & A1; South: M2, RR, R6A & A1; East: M2, R6A & R6; West: M(P) & RR

Surrounding Land Use: Residential (including manufactured dwellings), manufactured home park, trade contractor, industrial operation not otherwise permitted, fire department, farmland & woodlands

2030 Growth Vision Plan: Community Growth Area

Wade Land Use Plan: Low Density Residential

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Town of Wade/Norcross

Soil Limitations: Yes, hydric – PA Pactolus loamy sand

School Capacity/Enrolled:

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

Watershed: Yes

Average Daily Traffic Count (2012): 1,200 on SR 1714 (Church Street)

Highway Plan: Powell Street is identified in the Highway Plan as a Local Road. 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:

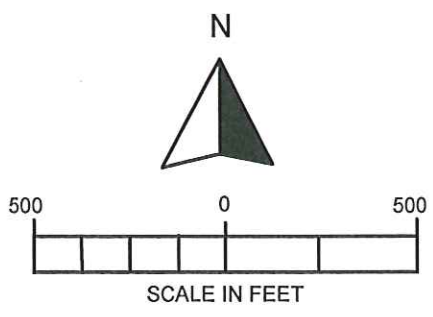
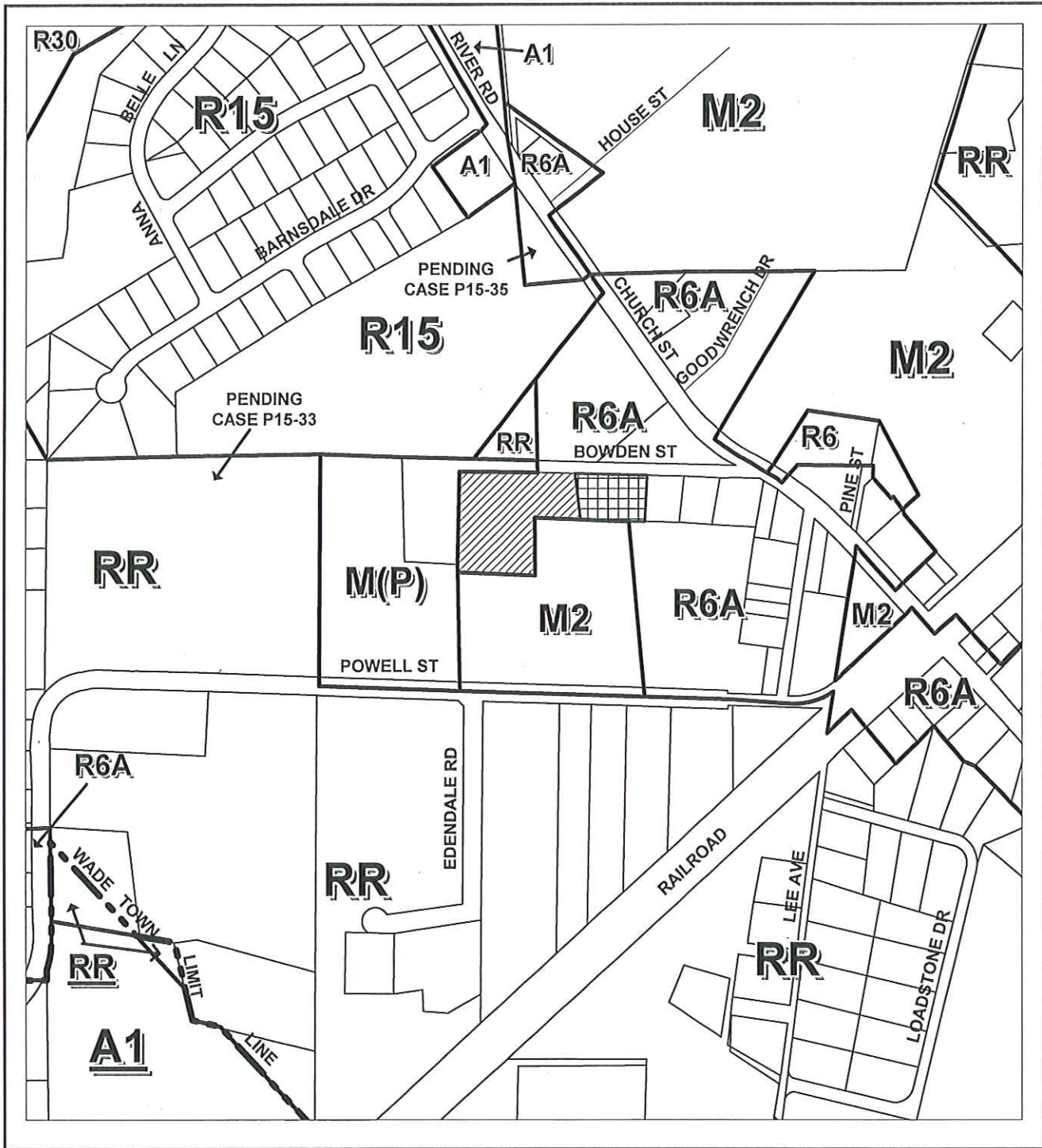
1. Density (minus 15% for ROW):
R6A – 33 lots/units (28 lots/units) *24 units if Manufactured Home Park

2. Minimum Yard Setback Regulations:

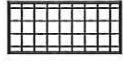
<u>R6A</u>	<u>M(P)</u>
Front yard: 25'	Front yard: 100'
Side yard: 10'	Side yard: 50'
Rear yard: 15'	Rear yard: 50'

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.



REQUESTED REZONING

 R6A TO M(P) 2.41 AC +/-
 R6A TO CD 0.77 AC +/-

ACREAGE: 3.18 AC.+/-		HEARING NO: P15-34	
ORDINANCE: WADE	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PORT OF PIN: 0571-74-5547



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June 9, 2015

MEMORANDUM

TO: Cumberland County Joint Planning Board
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SUBJECT: Staff Recommendation for the June 16, 2015 Board Meeting

P15-35. REZONING OF .78+/- ACRE FROM R6A RESIDENTIAL TO R15 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST SIDE OF SR 1714 (RIVER ROAD), NORTH OF BOWDEN STREET; SUBMITTED BY DONOVAN MCLAURIN ON BEHALF OF MCLAURIN COMPANY, INC. (OWNER) AND WILLIAM B. SNIVELY, PLS. (WADE)

1st MOTION

The Planning and Inspections Staff recommends approval of Case No. P15-35 for R15 Residential district based on the following:

1. The R15 Residential district will allow for land uses and lot sizes that exist in the general area; and
2. If approved, the rezoning would be consistent with the adjacent property under the same ownership.

There are no other districts considered suitable at this location.

2nd MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P15-35 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "community growth area" at this location as the proposed districts would allow development at 2.2 to 6 units per acre. The request is also consistent with the Wade Land Use Plan which calls for "low density residential" at this location.

The staff recommends the board further find that approval of this 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 or community water and public sewer are required; must have direct access to a public street; desirable to be within three miles of a recreation area or facility; must not be located in any defined critical area as defined by the Fort Bragg Small Study Area and desirable to not be located in the Special Flood Hazard Area (100-year Flood Area).*

Attachments:
1 – Site Profile
2 – Sketch Map

P15-35
SITE PROFILE

P15-35. REZONING OF .78+/- ACRE FROM R6A RESIDENTIAL TO R15 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST SIDE OF SR 1714 (RIVER ROAD), NORTH OF BOWDEN STREET; SUBMITTED BY DONOVAN MCLAURIN ON BEHALF OF MCLAURIN COMPANY, INC. (OWNER) AND WILLIAM B. SNIVELY, PLS. (WADE)

Site Information:

Frontage & Location: 388.29'+/- on SR 1714 (Church Street)

Depth: 190.56'+/-

Jurisdiction: Town of Wade

Adjacent Property: Yes, southwest of subject property

Current Use: Vacant land

Initial Zoning: R6A – November 25, 1980 (Area 14)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: M2, R30, RR & A1; South: M(P), M2, RR, R15 & R6A; East: M2, RR & R6A; West: R15 & A1

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

2030 Growth Vision Plan: Community Growth Area

Wade Land Use Plan: Low Density Residential

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Town of Wade/Norcross

Soil Limitations: None

School Capacity/Enrolled:

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

Watershed: Yes

Average Daily Traffic Count (2012): 1,200 on SR 1714 (Church Street)

Highway Plan: In the Highway Plan Bowden Drive is a Local Road and River Road is a Minor Collector. 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:

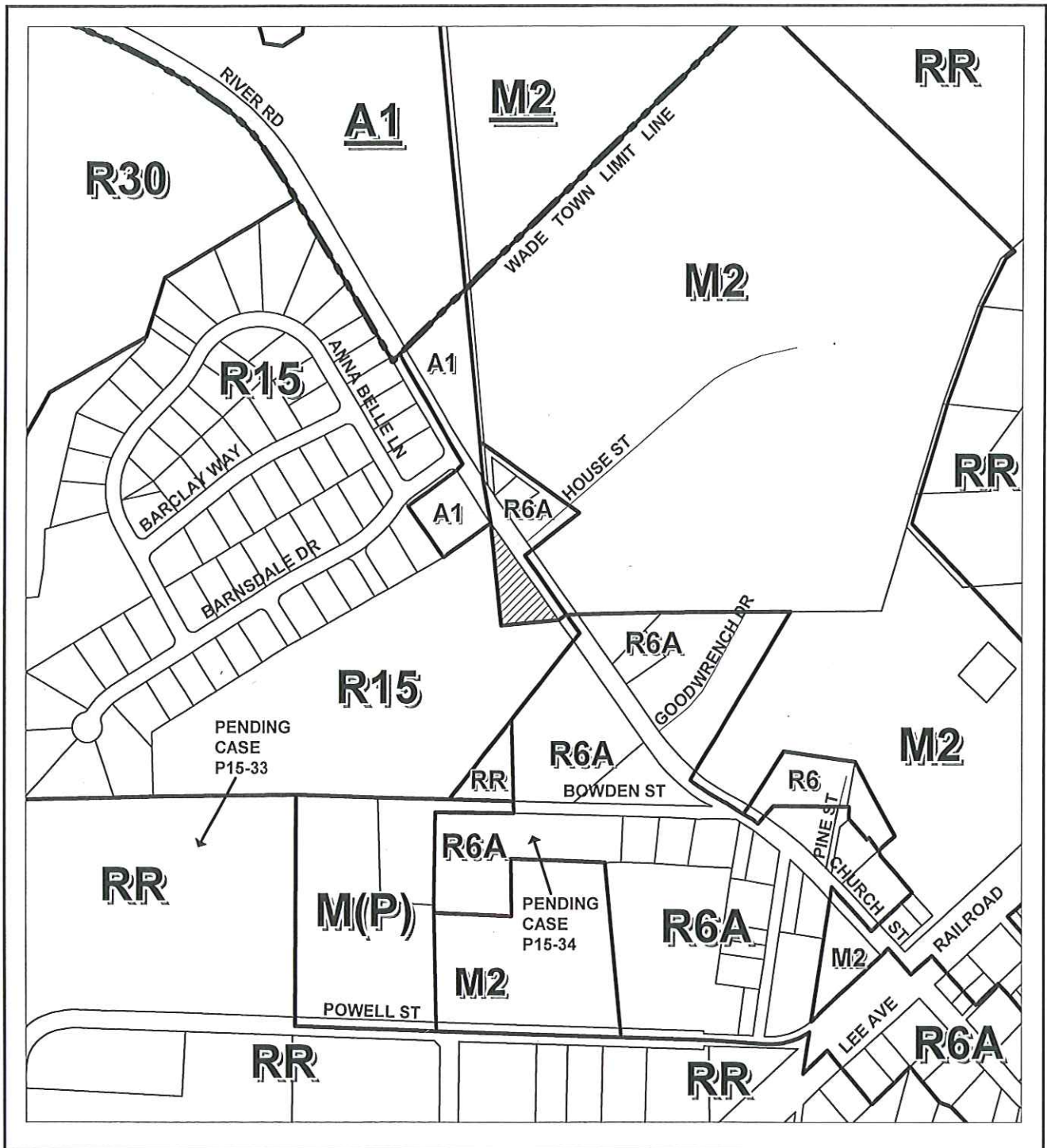
1. Density:
R6A – 7 lots/units
R15 – 2 lots/units

2. Minimum Yard Setback Regulations:

<u>R6A</u>	<u>R15</u>
Front yard: 25'	Front yard: 30'
Side yard: 10'	Side yard: 10'
Rear yard: 15'	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.



SCALE IN FEET

REQUESTED REZONING R6A TO R15

ACREAGE: 0.78 AC.+/-		HEARING NO: P15-35	
ORDINANCE: WADE	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0571-75-5671

AM



Patricia Hall,
Chair
Town of Hope Mills

Charles C. Morris,
Vice-Chair
Town of Linden

Jami McLaughlin,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman

Donovan McLaurin
Wade, Falcon & Godwin

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

June 9, 2015

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the June 16, 2015 Board Meeting

P15-36. REZONING OF .42+/- ACRE FROM R6A RESIDENTIAL TO R6 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHEAST SIDE OF SR 1714 (CHURCH STREET), SOUTHWEST OF LOFTON STREET; SUBMITTED BY DONOVAN MCLAURIN ON BEHALF OF MCLAURIN COMPANY, INC. (OWNER) AND WILLIAM B. SNIVELY, PLS. (WADE)

1st MOTION

The Planning and Inspections Staff recommends approval of Case No. P15-36 for R6 Residential district based on the following:

1. The R6 Residential district will allow for land uses and lot sizes that exist in the general area; and
2. The district requested is more restrictive than the current zoning of the subject property.

There are no other districts considered suitable at this location.

2nd MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P15-36 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “community growth area” at this location as the proposed district would allow development at greater than 6 but less than 15 units per acre. The request is also consistent with the Wade Land Use Plan which calls for “medium density residential” at this location.

The staff recommends the board further find that approval of this 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 or community water and public sewer are required; desirable to be within two miles of an existing major or minor thoroughfare; must have direct access to a collector street; desirable to be within two miles of a recreation area or facility; must not be located in any defined critical area as defined by the Fort Bragg Small Study Area and Fayetteville Regional Airport Plan.*

Attachments:
1 – Site Profile
2 – Sketch Map

P15-36
SITE PROFILE

P15-36. REZONING OF .42+/- ACRE FROM R6A RESIDENTIAL TO R6 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHEAST SIDE OF SR 1714 (CHURCH STREET), SOUTHWEST OF LOFTON STREET; SUBMITTED BY DONOVAN MCLAURIN ON BEHALF OF MCLAURIN COMPANY, INC. (OWNER) AND WILLIAM B. SNIVELY, PLS. (WADE)

Site Information:

Frontage & Location: 150.00'+/- on SR 1714 (Church Street)

Depth: 125.00'+/-

Jurisdiction: Town of Wade

Adjacent Property: Yes, east of subject property

Current Use: Vacant land

Initial Zoning: R6A – November 25, 1980 (Area 14)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: M2, C3, C(P), RR, R6A & R6; South: C3, C1(P), O&I(P), RR, R15, R6A & A1; East: M2, C3 & R6A; West: R6A

Surrounding Land Use: Residential (including manufactured dwellings), machining, vacant office, park, assembly (2), restaurant, farmland & woodlands

2030 Growth Vision Plan: Community Growth Area

Wade Land Use Plan: Medium Density Residential

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Town of Wade/Norcross

Soil Limitations: None

School Capacity/Enrolled:

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

Watershed: Yes

Average Daily Traffic Count (2012): 1,300 on SR 1714 (Church Street)

Highway Plan: In the Highway Plan Lofton Street is a Local Road and Church Street is a Minor Collector. 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:

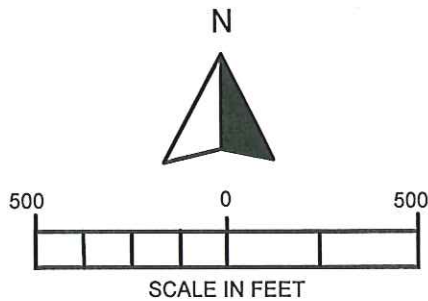
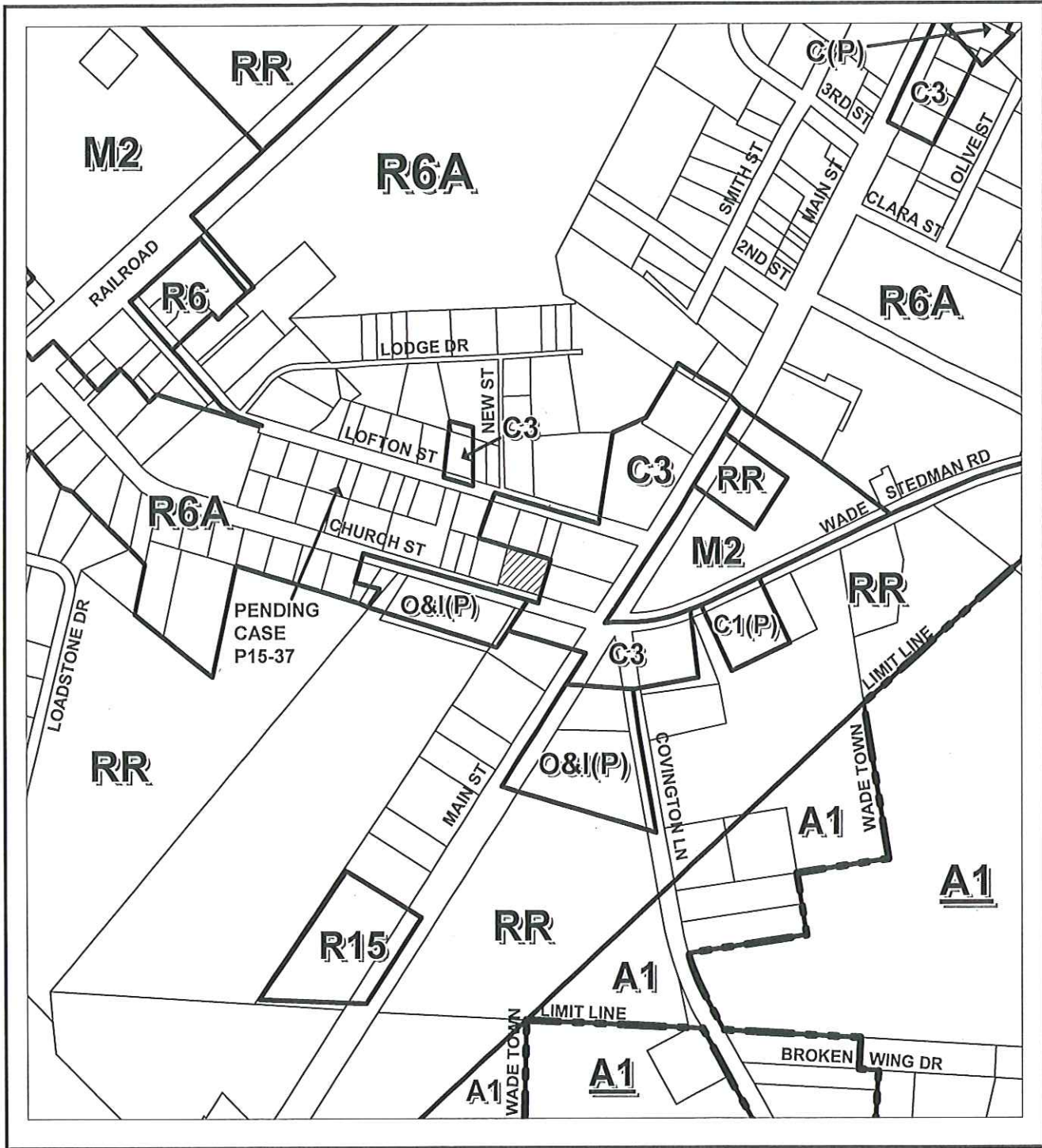
1. Density:
R6A & R6 – 3 lots/units

2. Minimum Yard Setback Regulations:

<u>R6A</u>	<u>R6</u>
Front yard: 25'	Front yard: 25'
Side yard: 10'	Side yard: 10'
Rear yard: 15'	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.



REQUESTED REZONING R6A TO R6

ACREAGE: 0.42 AC.+/-		HEARING NO: P15-36	
ORDINANCE: WADE	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0581-03-5634

JM



Patricia Hall,
Chair
Town of Hope Mills

Charles C. Morris,
Vice-Chair
Town of Linden

Jami McLaughlin,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman

Donovan McLaurin
Wade, Falcon & Godwin

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

June 9, 2015

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the June 16, 2015 Board Meeting

P15-37. REZONING OF 1.50+/- ACRES FROM R6A RESIDENTIAL TO R6 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 4038 LOFTON STREET AND ON THE SOUTH SIDE OF LOFTON STREET, NORTH SIDE OF SR 1714 (CHURCH STREET); SUBMITTED BY DONOVAN MCLAURIN ON BEHALF OF MCLAURIN COMPANY, INC. (OWNER) AND WILLIAM B. SNIVELY, PLS. (WADE)

1st MOTION

The Planning and Inspections Staff recommends approval of Case No. P15-37 for R6 Residential district based on the following:

1. The R6 Residential district will allow for land uses and lot sizes that exist in the general area; and
2. The district requested is more restrictive than the current zoning of the subject property.

There are no other districts considered suitable at this location.

2nd MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P15-37 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “community growth area” at this location as the proposed district would allow development at greater than 6 but less than 15 units per acre. The request is also consistent with the Wade Land Use Plan which calls for “medium density residential” at this location.

The staff recommends the board further find that approval of this 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 or community water and public sewer are required; desirable to be within two miles of an existing major or minor thoroughfare; must have direct access to a collector street; desirable to be within two miles of a recreation area or facility; must not be located in any defined critical area as defined by the Fort Bragg Small Study Area and Fayetteville Regional Airport Plan.*

Attachments:
1 – Site Profile
2 – Sketch Map

P15-37
SITE PROFILE

P15-37. REZONING OF 1.50+/- ACRES FROM R6A RESIDENTIAL TO R6 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 4038 LOFTON STREET AND ON THE SOUTH SIDE OF LOFTON STREET, NORTH SIDE OF SR 1714 (CHURCH STREET); SUBMITTED BY DONOVAN MCLAURIN ON BEHALF OF MCLAURIN COMPANY, INC. (OWNER) AND WILLIAM B. SNIVELY, PLS. (WADE)

Site Information:

Frontage & Location: 150.00'+/- on SR 1714 (Church Street) & 350.00' on Lofton Street

Depth: 250.00'+/-

Jurisdiction: Town of Wade

Adjacent Property: No

Current Use: 1 residential structure & vacant lots

Initial Zoning: R6A – November 25, 1980 (Area 14)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: M2, C3, RR, R6A & R6; South: C3, C1(P), O&I(P), RR & A1; East: M2, C3 & R6A; West: RR & R6A

Surrounding Land Use: Residential (including manufactured dwellings), religious worship, park, assembly, vacant office, machining & woodlands

2030 Growth Vision Plan: Community Growth Area

Wade Land Use Plan: Medium Density Residential

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Town of Wade/Norcross

Soil Limitations: None

School Capacity/Enrolled:

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

Watershed: Yes

Average Daily Traffic Count (2012): 1,300 on SR 1714 (Church Street)

Highway Plan: In the Highway Plan Lofton Street is a Local Road and Church Street is a Minor Collector. 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:

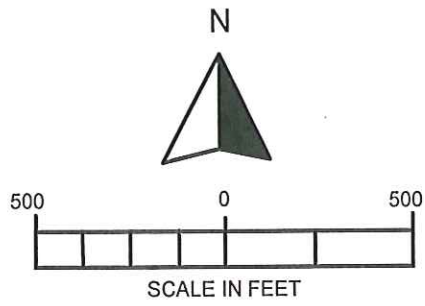
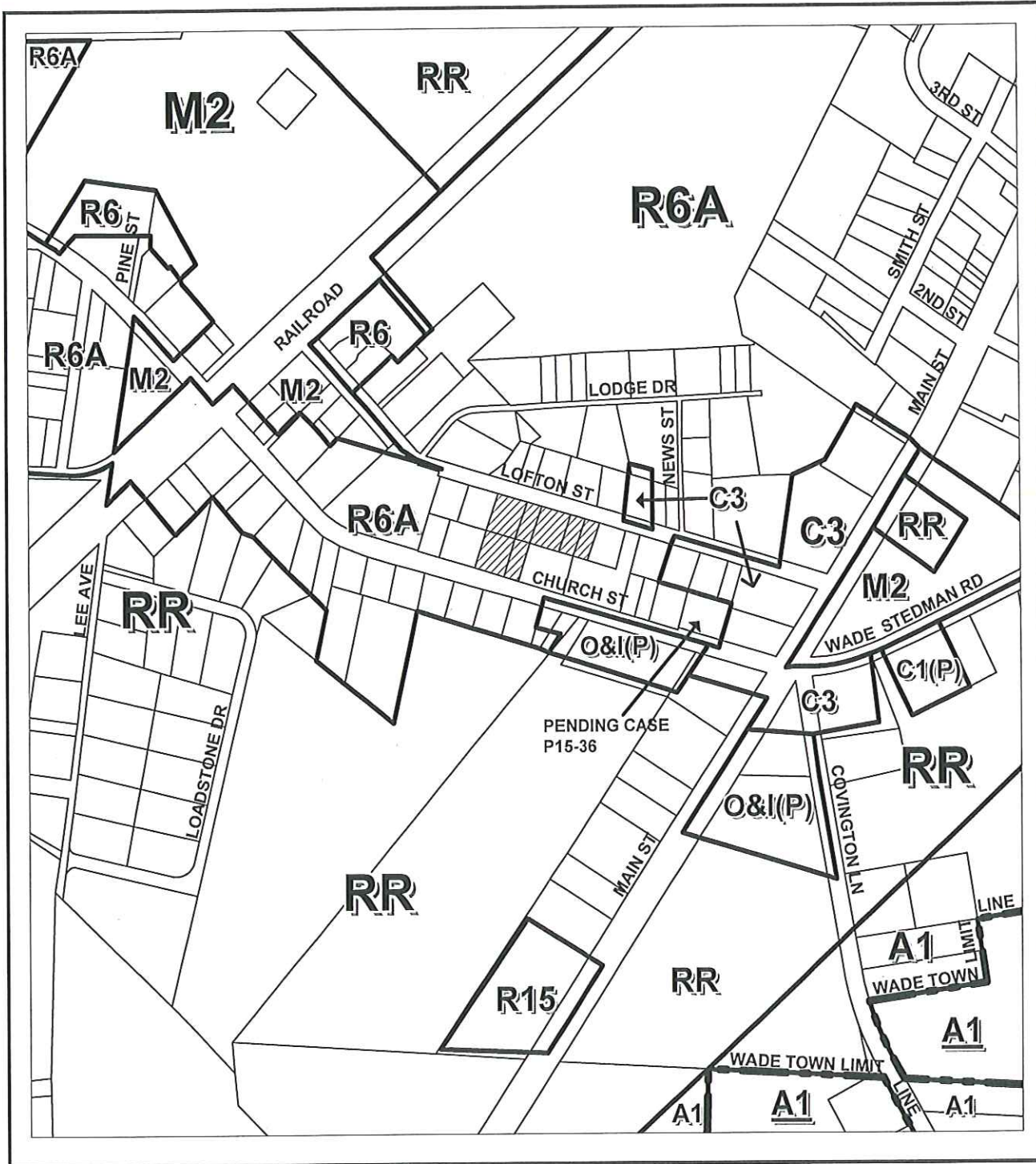
1. Density (minus 15% for ROW):
R6A & R6 – 15 lots/units (12 lots/units) *12 units if Manufactured Home Park

2. Minimum Yard Setback Regulations:

<u>R6A</u>	<u>R6</u>
Front yard: 25'	Front yard: 25'
Side yard: 10'	Side yard: 10'
Rear yard: 15'	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.



REQUESTED REZONING R6A TO R6

ACREAGE: 1.5 AC.+/-	HEARING NO: P15-37	
ORDINANCE: WADE	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0571-93-8835 0571-93-9803
 0581-03-1940 0581-03-0991
 0581-03-0923 0571-93-9945
 0571-93-8967

JM
 5-18-2015
 6-03-2015
 6-11-2015

Patricia Hall,
Chair
Town of Hope Mills

Charles C. Morris,
Vice-Chair
Town of Linden

Jami McLaughlin,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman

Donovan McLaurin
Wade, Falcon & Godwin



CUMBERLAND
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NORTH CAROLINA

—◆—
Planning & Inspections Department

Thomas J. Lloyd,
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Deputy Director

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

Benny Pearce,
Town of Eastover

June 9, 2015

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the June 16, 2015 Board Meeting

P15-38. REZONING OF 4.40+/- ACRES FROM R5 RESIDENTIAL TO MXD MIXED USE/CZ CONDITIONAL ZONING OR TO A MORE RESTRICTIVE ZONING DISTRICT AND REVISING THE EXISTING MXD PLAN; LOCATED ON THE NORTH SIDE OF SR 1112 (ROCKFISH ROAD), SOUTHEAST OF SR 1003 (CAMDEN ROAD); SUBMITTED BY D. RALPH HUFF III ON BEHALF OF LANDSTONE, LLC. (OWNER). (HOPE MILLS)

1st MOTION

The Planning and Inspections Staff recommends the approval of Case No. P15-38 for MXD Mixed Use/CZ Conditional Zoning as an addition to the existing adjacent mixed use development based on the following:

- The request is reasonable as it is an expansion to an already approved mixed use that would not significantly change any of the residential, non-residential percentage requirements; and, the expansion, coupled with infilling and growing interest in the general area will locate residentially zoned properties near convenient goods and services.

2nd MOTION

The Planning and Inspections Staff recommends the board find that approval of the rezoning request for Case No. P15-38 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “urban” at this location because the request will be oriented towards the services located in the overall development. The request is also consistent with the Southwest Cumberland Land Use Plan, which calls for “mixed use development” at this location.

The staff also recommends the board further find that approval of this 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 available; there is direct access to a local road; should be a minimum of 10 acres; is a means to promote an alternative to strip commercial development; and located on a sufficient site that provides adequate area for buffering, screening landscaping, parking and required open space.*

There are no other districts considered suitable for this request.

Attachments:

1 – Site Profile 2 – Sketch Map 3 – Site Plan 4 – Overall Site Plan 5 – Draft ordinance conditions
6 – Original approval letter dated 03/20/2007 7 – Application

P15-38
SITE PROFILE

P15-38. REZONING OF 4.41+/- ACRES FROM R5 RESIDENTIAL TO MXD MIXED USE/CZ CONDITIONAL ZONING OR TO A MORE RESTRICTIVE ZONING DISTRICT AND REVISING THE EXISTING MXD PLAN; LOCATED ON THE NORTH SIDE OF SR 1112 (ROCKFISH ROAD), SOUTHEAST OF SR 1003 (CAMDEN ROAD); SUBMITTED BY D. RALPH HUFF III ON BEHALF OF LANDSTONE, LLC. (OWNER). (HOPE MILLS)

Site Information:

Frontage & Location: 196.36'+/- on SR 1112 (Rockfish Road) & 100.00'+/- on SR 1003 (Camden Road)

Depth: 1,370.00'+/-

Jurisdiction: Hope Mills

Adjacent Property: Yes, east & northwest of subject properties

Current Use: Vacant land

Initial Zoning: R10 – February 3, 1977 (Area 7); Portion initially zoned MXD/CUD on November 3, 2008; Portion initially zoned R5 on August 19, 2013

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: MXD/CUD (HM), C2(P) (HM), C1(P), RR, R10 & R6A (HM); South: R10 & R6 (HM); East: MXD/CUD (HM) & R6A; West: C1(P), R10, R6A & R5A (HM)

Surrounding Land Use: Residential (including manufactured dwellings & multi-family), vacant commercial building, convenience retail w/ gasoline sales, car wash, daycare, bank, substation, religious worship and woodlands

2030 Land Use Plan: Urban

Southwest Cumberland Land Use Plan: Mixed Use Development

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/ PWC

Soil Limitations: None

School Capacity/Enrolled:

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

Average Daily Traffic Count (2012): 12,000 on SR 1112 (Rockfish Road) & 18,000 on SR 1003 (Camden Road)

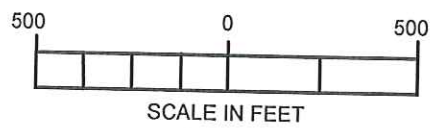
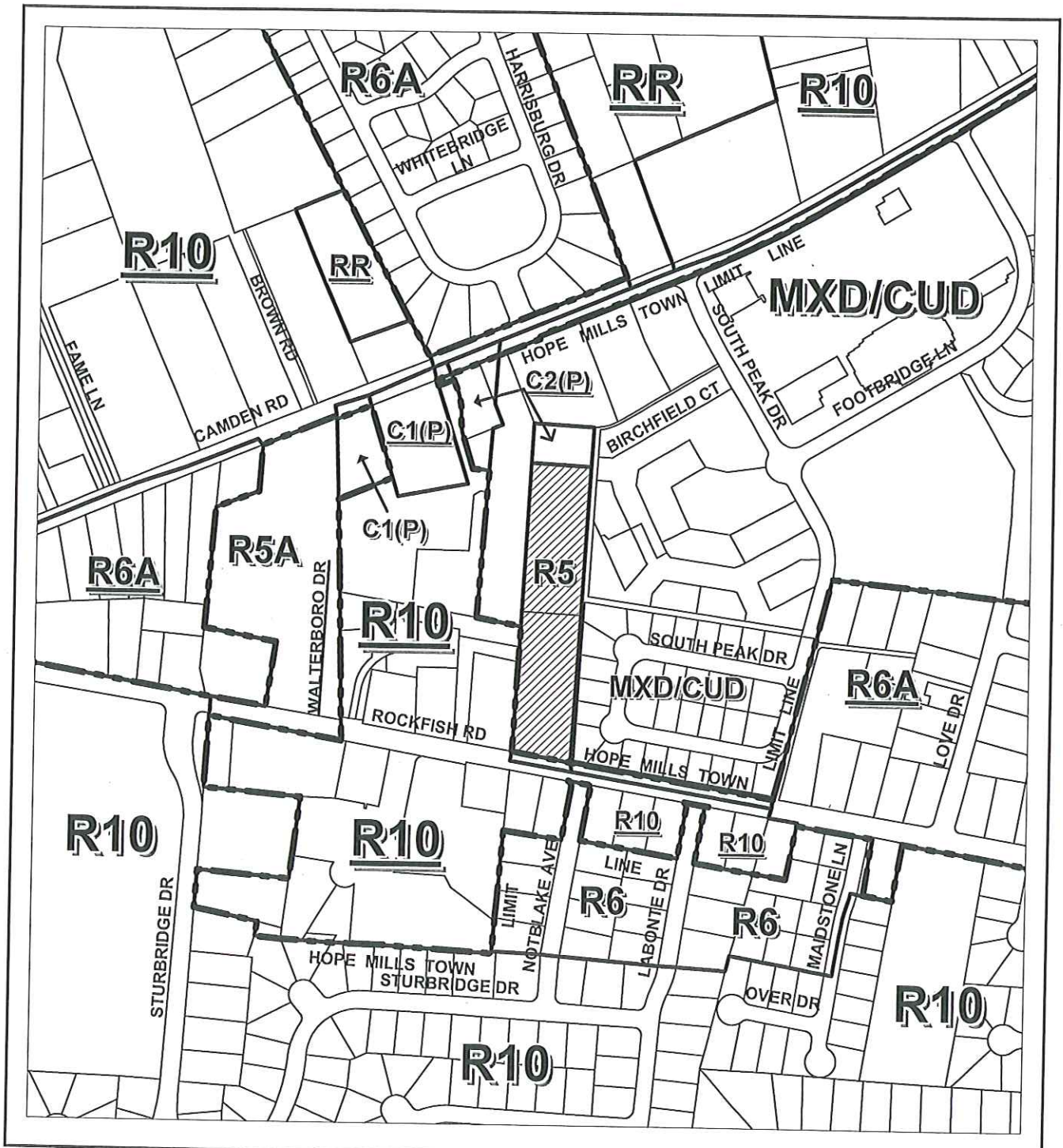
Highway Plan: This section of Rockfish Road is identified in the Highway Plan as a minor arterial needing improvement. The proposal calls for a multi-lane (4 ln divide) facility.

Notes:

1. All related conditions of approval from Case No. P07-13 are applicable
2. Density:
 - a. Single-family residential – 28.72 acres, 96 lots (34.24% of the tract)
 - b. Multi-family residential – 16.94 acres, 240 units (20.19% of the tract)
 - c. Commercial – 23.05 acres (27.48% of the tract)
 - d. Open Space – 14.43 acres (17.20% of the tract)

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.

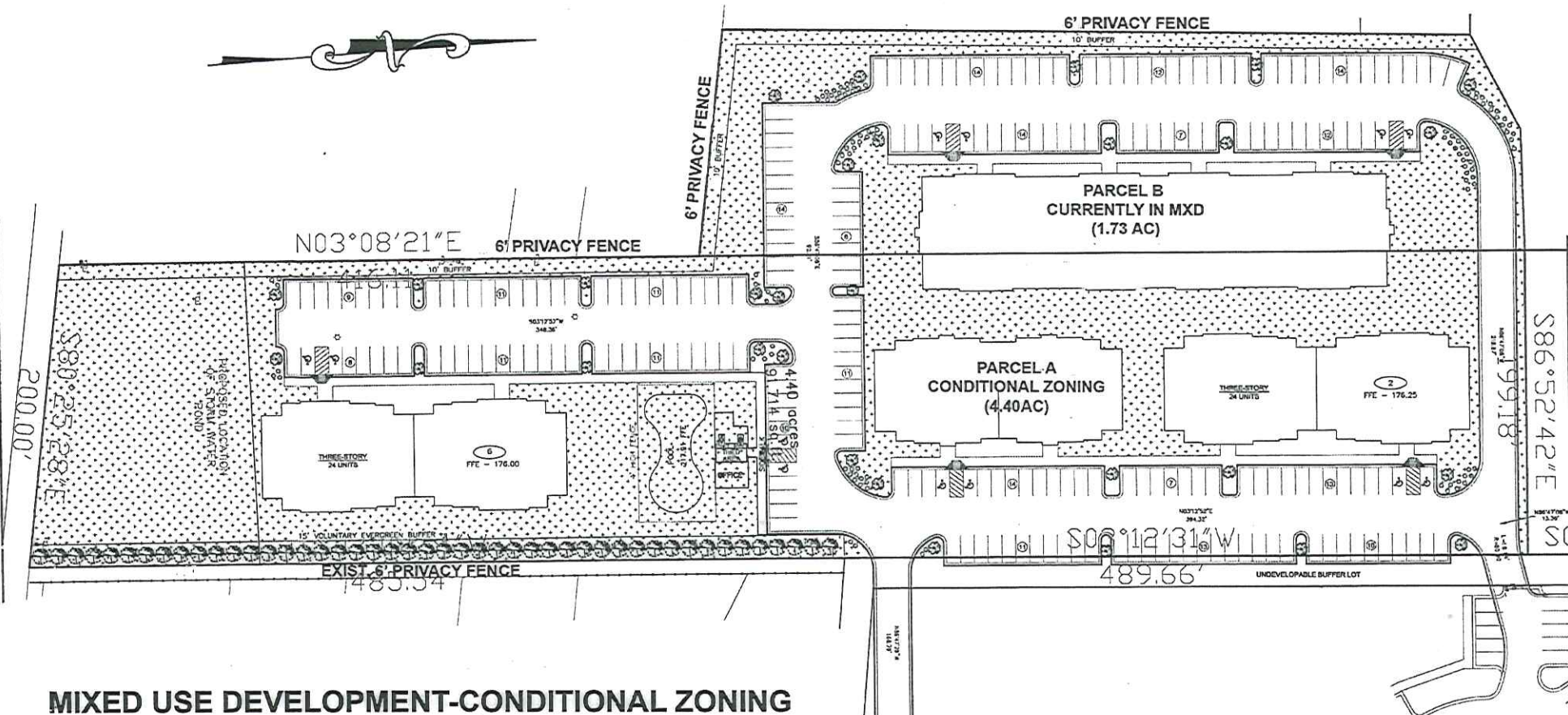


REQUESTED REZONING R5 TO MXD/CZ

ACREAGE: 4.40 AC.+/-	HEARING NO: P15-38	
ORDINANCE: HOPE MILLS	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0404-66-7832
 PORT. OF PIN: 0404-67-6047

ROCKFISH RD



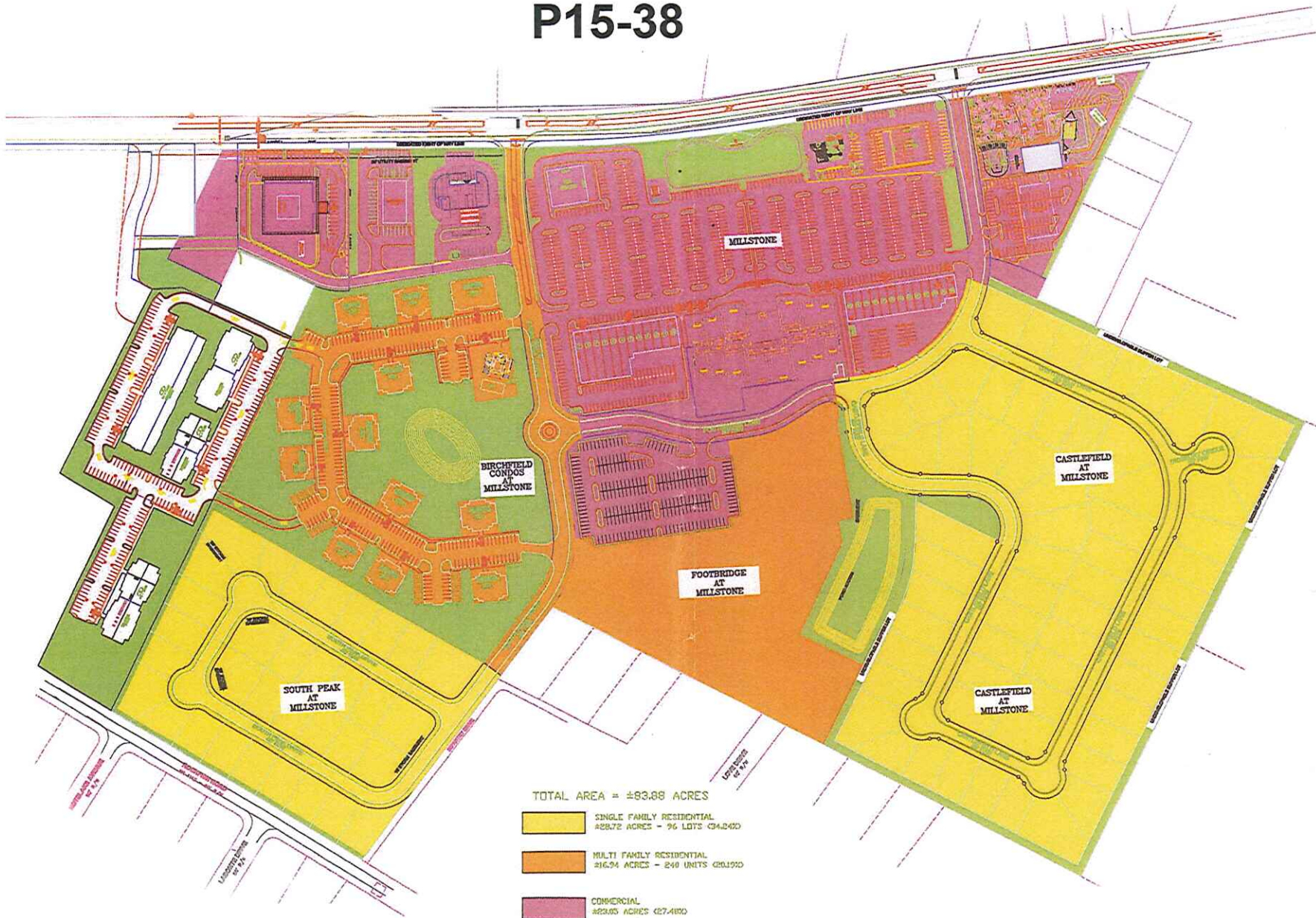
MIXED USE DEVELOPMENT-CONDITIONAL ZONING
REQUEST: REVISING THE EXISTING MXD PLAN
CASE: P15-38 ACREAGE: 4.41 AC +/- (REZONING)
6.14AC +/- TOTAL AREA

SCALE: NTS PARKING: 245 SPACES

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

5-20-15

P15-38



TOTAL AREA = ±83.88 ACRES

	SINGLE FAMILY RESIDENTIAL ±28.72 ACRES - 96 LOTS (34,240)
	MULTI FAMILY RESIDENTIAL ±16.94 ACRES - 240 UNITS (20,190)
	COMMERCIAL ±22.05 ACRES (27,480)
	OPEN SPACE ±14.43 ACRES (17,200)
	DEDICATED RIGHT OF WAY ±6.74 ACRES (1,880)

CONDITIONAL ZONING DISTRICT

DRAFT

Ordinance Related Conditions

[Addition to Existing Mixed Use Development (Multi-Family)]

1. All conditions of approval from the Town Board of Commissioners' approval of Case No. P08-48 for the Millstone Mixed Use Development apply – see attached.

Note: The original approval was granted by the County Board of Commissioners (Case No. P07-13) on March 20, 2007; the subject property was subsequently annexed by the town with all conditions being incorporated and adopted during the initial zoning process on November 3, 2008. All references to any County agency in the attached conditions are to be implemented by the corresponding town department or individual.

In addition to the attached conditions of approval, the following apply specifically to the subject property currently proposed to be added to the Millstone Mixed Use Development:

Pre-Permit-Related:

2. The Town of Hope Mills has tree preservation provisions in their ordinance; the developer must contact Mike Bailey, Hope Mills Chief Building Inspector concerning the removal of trees from this site prior to obtaining a tree removal permit.
3. A minimum six-foot in height and 20-foot in width vegetative strip of land surrounding the entire Millstone Mixed Use Development is required. The developer must submit five copies of a revised plan that reflects the mandatory perimeter buffer for staff review and approval prior to application for any permits for this addition to the mixed use.
4. A recombination plat (also known as a "No Approval Required" or "NAR") must be submitted to Land Use Codes and then the Town Manager for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

Permit-Related:

5. The Town's Plan Review Committee requirements must be complied with and in the event any significant changes to the site plan are necessary to satisfy the Plan Review Committee's requirements, re-submittal of the site plan may be required.
6. New development that will disturb one acre or more of land or is part of a larger common plan of development that will disturb one acre or more of land is subject to the Post-Construction Stormwater Management Permitting Program administered by the Hope Mills Stormwater Department. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site a copy of the Town's Stormwater Management Permit must be provided to the Town's Inspections Department.
7. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must 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 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.
8. Landscaping must be provided in accordance with Section 102A-1202(n), Landscaping, Hope Mills Zoning Ordinance. The following are the minimum standards for the required landscaping of this site:

- a. Four large shade trees (10' in height at time of planting) or twelve flowering or ornamental trees within the front yard setback area along SR 1112 (Rockfish Road) – the required trees must be located between any fence and the right-of-way within the front yard setback area;
- b. Two ornamental trees and eight shrubs are required in the building yard area; and
- c. Sixteen (8' in height) trees and 98 shrubs are required within the parking area.

In addition:

- a. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
 - b. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.
 - c. The Hope Mills Zoning Ordinance requires double the landscaping requirements when/if the site has been cleared of trees without the developer first obtaining a tree removal permit.
9. A drainage permit from the Town of Hope Mills Stormwater Department is required for any development or redevelopment that will construct, alter, repair, relocate, or demolish any storm sewer natural watercourse, or other drainage facility. The standards used for the design and construction of all stormwater drainage structures and/or stormwater BMP facilities shall be in accordance with the "Town of Hope Mills Stormwater Design Standards", the Design Manual, and shall be subject to the requirements of Chapter 67 Article III.
 10. A *Certificate of Occupancy* will not be issued until the Hope Mills Stormwater Department inspects the site and certifies that the site is developed in accordance with the approved plans.
 11. A *Certificate of Occupancy* will not be issued until a Zoning Inspector inspects the site and certifies that the site is developed in accordance with approved plans.
 12. Prior to application for any building final inspection, a concrete sidewalk along SR 1112 (Rockfish Road) is required – contact the Hope Mills Town Planner for more information regarding this condition.

Site-Related:

13. All uses, dimensions, setbacks and other related provisions of the Hope Mills Subdivision and Zoning Ordinances for the MXD/CZ zoning district for the 4.40+/- acres to be added to the Millstone Mixed Use Development for 120 multi-family dwelling units and the revision of the overall plan, particularly the required 15% open space areas, must be complied with, as applicable, to include the contents of the application and site plan.
14. This conditional approval is not approval of the permit for any new freestanding signs. If a new freestanding sign is desired, the developer must submit a revision for staff site plan approval prior to locating the sign on the subject property. Attached signage for this development must be in accordance with the applicable sign regulations and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.)
15. A solid buffer must be provided and maintained along the southwestern property line where this tract/site abuts residentially zoned properties in accordance with the provisions of Section 102A-1202(g), Buffer Requirements, Hope Mills Zoning Ordinance. (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)
16. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
17. All required off-street parking spaces shall be a minimum of 9' x 20' and shall be surfaced, with a permanent material such as asphalt or concrete, and striped prior to application for the building final inspection. A minimum of 240 off-street parking spaces is required for this development.

Plat-Related:

18. Prior to submission of the recombination plat for approval for recording, the following documents must be submitted in digital format for the Town Attorney's review and approval:

- a. A copy of the deed(s) proposed for recordation conveying all common area to the owners association;
 - b. A copy of the proposed supplemental covenants subjecting the subject property to the existing owners' association's rules and by-laws and any other supplemental covenants if the proposed development is to be subject to any covenants other than those previously approved and recorded; and
 - c. A copy of the/any proposed recombination plat prior to the submission for final approval – can be a phase of the approved development or the complete development as approved.
19. All areas to be held in common, including the perimeter buffer, must be labeled as “Common Area” on the recombination plat.
 20. The street name signs may be required to be installed prior to the recombination plat being approved for recording. The developer should contact E911 Street Naming/Signs for inquiries regarding the street naming/addressing policy. County Planning must receive notice of approval from the Location Services Section for sign installation or of satisfactory inspection.
 21. “Rockfish Road” also must be labeled as “SR 1112” on the final plat.
 22. Any Millstone Mixed Use plat that is submitted for approval for recording must be labeled as a “Zero Lot Line” development.
 23. Any/All easements shall be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
 24. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval.
 25. The recombination plat must be submitted to Land Use Code and then the Town Manager for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

Plat-Required Statement:

26. The all structures shall be shown on the recombination plat or the plat shall reflect the following statement:

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

Advisories:

27. The applicant is advised to consult an expert on wetlands before proceeding with any development.
28. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.

Thank you for choosing the Town of Hope Mills for your development location!

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605 with the Land Use Codes Section; otherwise, contact the appropriate agency at the contact numbers below.

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

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Fire Marshal – Emergency Services	Rodney Ward	321-6625
County Engineer’s Office:	Wayne Dudley	678-7636
County Health Department:	Daniel Ortiz	433-3680
PWC:	Joe Glass	223-4740
Town of Hope Mills:		424-4555*
Town Clerk:	Melissa P. Adams	
Town Planner:	Chancer McLaughlin	
Chief Building Inspector:	Mike Bailey	
Stormwater Administrator:	Melanie Clerkley	
Zoning Inspector:	Jeff Wade	

Corp of Engineers (wetlands):	Emily Greer	(910) 251-4049
NCDENR (E&S):	Brad Cole	433-3300
Location Services:		
Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

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

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

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

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

March 20, 2007

Thomas L. Bradford
2919 Breezewood Avenue
Fayetteville, North Carolina 28303

Dear Mr. Bradford:

This Cumberland County Board of Commissioners met on Monday, March 19, 2007 and approved the Density Development and Conditional Use District and Permit subject to the contents of the application, the site plan, and the following conditions:

P07-13: REZONING OF THREE PARCELS TOTALING 79.88 ACRES FROM R10 TO MXD/CUD AND PERMIT OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 5819, 5933, AND 6007 CAMDEN ROAD, SUBMITTED BY THOMAS L. BRADFORD, OWNED BY THOMAS L. BRADFORD, CLIFFORD C. AND SHARON H. MCCULLOUGH, JR, AND MARJORIE R. HANKS.

Mixed Use Development/Conditional Use District & Permit Ordinance Related Conditions of Approval

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 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. (Note: Town of Hope Mills' design standards, including fire hydrant location, must be adhered to.) (Also see Hope Mills Subdivision Ordinance, Section 86-128(a))
3. The developer must provide the Code Enforcement Section with an approved state sedimentation and erosion control plan (S&E) prior to any application for permits. If any retention/detention basins are required for state approval of this plan, then five copies of a revised plan showing the location of the basin(s) must be submitted and approved by Planning & Inspections prior to application for any permits.
4. The NC Department of Transportation (NCDOT) approve the proposed curb-cut(s) and proper permits must be obtained prior to zoning/building permit application.

5. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
6. *The Certificate of Occupancy* permits will not be issued until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

Site-Related:

7. The developer is required to submit to Land Use Codes, three copies of the legal documents specifically designating responsibility for maintenance and upkeep of all common area, Class "A" private streets, open space, buffers and recreational facilities through an owners' association for this development. **These documents must be approved by the County Attorney prior to any permit application and/or the sale of or submission for final plat approval of any lot or unit within this development.**
8. All setbacks along the periphery of this development shall meet the dimensional requirements of the adjacent zoning district.
9. All "uses" within this development are restricted to those uses listed in Section 603, County Zoning Ordinance.
10. The signage for this development shall 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) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs. If any freestanding signs are desired, a plot plan indicating size, type and location of sign must be submitted to Land Use Codes prior to permit application.)
11. All utilities must be located underground – see Section 86-128(b), Hope Mills Subdivision Ordinance.
12. Drainage systems must comply with Section 86-122(f), "Required Drainage", Hope Mills Subdivision Ordinance.
13. The NC Department of Transportation (NCDOT) may require turn lanes to be installed along both Camden and Rockfish roads.
14. Off-street parking shall be provided as noted on the site plan - meeting all applicable provisions of Section 1202, County Zoning Ordinance - and all parking spaces, measuring 9' x 20', shall be surfaced, with a permanent material such as asphalt or concrete, and striped prior to application for the *Certificate of Occupancy* for each individual structure and/or phase of the development.
15. 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.
16. In addition to the buffers shown on the site plan, a solid buffer must be provided and maintained in accordance with the provisions of Section 1102 G, County Zoning Ordinance along eastern boundary of the "townhome" portion of this development where this area is adjacent to the single-family lots. (Note: Upon future development of the "commercial" portions of this development, a solid buffer will also be required where the non-residential uses abut residential properties.) The developer is encouraged to consider providing a buffer along the boundary of this development where it abuts Rockfish Road. Per the applicant's agreement with the County Commissioners, the developer must install a 10 foot wide tree planting buffer along with a fence along the easternmost line of the lower portion of the commercial area on the east side of the overall development plan – area marked on file copy of site plan.

17. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
18. For the commercial areas of this development, five copies of the preliminary site plan must be submitted to Land Use Codes for review and approval by the Planning & Inspection staff prior to any permit application. In addition to what is required on a standard detailed site plan, the proposed landscaping for the commercial areas must be included on the plan. The landscaping requirements are as follows:
 - a. One large shade tree or two small ornamental trees per 50 linear feet of street frontage on a public street;
 - b. One ornamental tree for every 50 linear feet of building length and/or width and two shrubs for every 10 linear feet of building length and/or width visible from the public street; and
 - c. Each paved off-street parking area providing 20 or more parking spaces, one large shade tree or two ornamental shade trees is required for every 20 spaces.
19. All notes and calculations as shown on the application and the site plan are to be considered as a part of this conditional approval.

Plat-Related:

20. A 10' x 70' sight distance easement shall be required for each street and/or drive where they intersect with SR 1003 (Camden Road) and SR1112 (Rockfish Road) and must be reflected on the final plat.
21. The street name signs, in compliance with the County Street Sign Specifications, must be installed prior to final plat approval. The developer should contact E911 Street Naming/Signs for inquiries regarding the County's policy for street sign installation or, if the sign is commissioned from a private source, to schedule an inspection of the street sign(s). Land Use Codes must receive notice of agreement with the Street Naming & Addressing Section for sign installation or of satisfactory inspection prior to the approval of the final plat.
22. The developer shall contact E911 Street Naming and Addressing regarding the process of acquiring "approved" street names and the approved street names must be reflected on the plat when submitted for final approval. (Note: Street name approval can take up to ten working days.)
23. "Camden Road" also must be labeled as "SR 1003" on the final plat.
24. "Rockfish Road" also must be labeled as "SR 1112" on the final plat.
25. The private streets must be constructed to the NC Department of Transportation (NCDOT) standards and labeled as "Class A" private street on the final plat.
26. The developer shall provide for an inspection of the private street(s) by a registered engineer or registered surveyor upon completion of construction of the private street(s) and related facilities, including drainage ways. A statement, affixed with the engineer/surveyor's seal, certifying that all private street(s) and related facilities are designed and constructed in accordance with the requirements of Section 4.2, County Subdivision Ordinance, and that all such facilities are adequate to serve the development, must be submitted to Land Use Codes prior to final plat approval or release of any construction guarantees as allowed under Section 2.6, County Subdivision Ordinance.
27. Dedication of 10 feet of right-of-way and reservation of 10 feet of right-of way along SR 1003 (Camden Road) is required and the metes and bounds for both dedication and reservation must be shown on the final plat and/or reflected on any future site plans. The location of all improvements, required or otherwise, and all building setback lines are to be measured from the ultimate right-of-way line.

28. The owner/developer shall secure and maintain any retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
29. All lots must be individually identified, i.e., numbered, on the final plat.
30. The builder/developer shall provide the buildable envelopes on the final plat: providing a five-foot maintenance easement along each side of all common internal lines with all other applicable setbacks being provided for, or at the time of permit application, the individual plot plans for each individual residential lot must be approved by Land Use Codes prior to issuance of any permits.
31. Any/All easements shall be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
32. All lots within this development must be served by one of the three streets/drives shown on the site plan (if approved by NC Department of Transportation) or by the internal street system and the final plat must reflect a "no access" easement on the remaining subject property where it abuts SR 1003 (Camden Road) & SR 1112 (Rockfish Road).
33. Lateral access must be provided to the commercial areas along SR 1003 (Camden Road) and the final plat must reflect a "lateral access" easement serving these areas.
34. A 25' right-of-way radius is required at all intersections and must be reflected on the final plat.
35. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission of any phase of this development for final plat approval by Land Use Codes.
36. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval.
37. The developer is reminded that the improvements must be in place or that final plat approval will only be granted in accordance with Section 2.6 b, c, or d, County Subdivision Ordinance. (Note: Once the improvements are in place, the developer is responsible for contacting Peggy Jennings to schedule an inspection of the improvements.)
38. The final plat must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

Plat-Required Statement:

39. That all structures shall be shown on the final plat or the final plat shall reflect the following statement:

"Nonconforming structures have not been created by this subdivision."

Other Relevant Conditions

40. The developer shall be aware that any addition and/or revision to this plat may require an additional review and approval by the Planning & Inspections Staff and/or the County Board of Commissioners, depending on the extent of the revision, prior to submission for permits for any structure and/or final plat approval of any portion of this development.

It is very important that the developer/owner clearly understands and agrees to the above conditions, for clarification and/or questions concerning these conditions, please contact Bonny G. Collins at 910-678-7603 or Patti Speicher at 910-678-7605.

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

Site Improvements Inspection:	Peggy Jennings	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	251-4829
NCDENR (E&S)		486-1541
E911 Site-Specific Address:	Ron Gonzales	678-7616
E911 Street Naming/Signs:	Diane Shelton	678-7665
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts)	Gary Burton	486-1496
Transportation Planning	Bobby McCormick	678 7632

If you have any questions, please give me a call at 678-7603.

Sincerely,



Patricia Speicher
Land Use Codes Supervision

cc: Phyllis Register, Town of Hope Mills (Courtesy Copy)
Code Enforcement Section

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

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

1. Applicant/Agent LANDSTONE, LLC C/O RALPH HUFF
2. Address: 2919 BREEZEWOOD AVE. SUITE 400, FAY, NC Zip Code 28303
3. Telephone: (Home) N/A (Work) 910-486-4864
4. Location of Property: DIRECTLY ADJACENT TO MILLSTONE
5. Parcel Identification Number (PIN #) of subject property: 0404-67-6047 & 0404-66-7832
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 4.41 Frontage: 200+/- 950+/-
7. Water Provider: PWC Septage C
8. Deed Book BK 9309, PG149, Page(s) AND BK 8720 Cumberland County Registry. (Attach copy of deed of subject property as Portion gistry).
9. Existing use of property: VACANT
10. Proposed use(s) of the property: EXPANSION OF MIXED USE MILLSTONE (MULTI-FAMILY)

NOTE: Be specific and list all intended uses.

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes X No _____
12. Has a violation been issued on this property? Yes _____ No X
13. It is requested that the foregoing property be rezoned FROM: R5

TO: (Select one)

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

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

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

EXPANSION OF BIRCHFIELD (MULTI-FAMILY)

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

TOTAL ACREAGE ---- 4.41 ACRES

RESIDENTIAL USE --- 2.58 ACRES

OPEN SPACE----- 1.03 ACRES

2. DIMENSIONAL REQUIREMENTS:

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

Special developments are exempt from the lot and yard requirements, provided the development conforms with the special provisions of the ordinance. This section shall include, but not be limited to, Article VI, Mixed Use Developments-Conditional Zoning Districts.

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

245 ASHALT SPACES

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIV.

N/A

4. LANDSCAPE AND BUFFER REQUIREMENTS:

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

DEVELOPER WILL PLANT 4 LARGE SHADE TREES

OR

12 FLOWERING/ORNAMENTAL TREES

ALONG THE ROCKFISH ROAD FRONTAGE - AS REQUIRED BY THE ORDINANCE

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

SEE PLAN ATTACHED.

5. MISCELLANEOUS:

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

N/A

6. SITE PLAN REQUIREMENTS:

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

7. STATEMENT OF ACKNOWLEDGMENT:

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

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

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

LANDSTONE, LLC (D RALPH HUFF, III, MEMBER MANAGER)

NAME OF OWNER(S) (PRINT OR TYPE)

2919 BREEZEWOOD AVE. SUITE 400, FAYETTEVILLE, NC 28303

ADDRESS OF OWNER(S)

PALPHHUFF@HHHOMES.COM


E-MAIL

N/A

910-486-4864

HOME TELEPHONE

WORK TELEPHONE


SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE

WORK TELEPHONE

E-MAIL ADDRESS

FAX NUMBER

SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

Patricia Hall,
Chair
Town of Hope Mills

Charles C. Morris,
Vice-Chair
Town of Linden

Jami McLaughlin,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman

Donovan McLaurin
Wade, Falcon & Godwin



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

◆
Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

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

Benny Pearce,
Town of Eastover

June 9, 2015

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the June 16, 2015 Board Meeting

P15-30. REZONING OF 2.90+/- ACRES FROM C1(P) PLANNED LOCAL BUSINESS TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED IN THE SOUTHEASTERN QUADRANT OF NC HWY 301 (DUNN ROAD) AND NC HWY 82 (MAIN STREET), SUBMITTED BY DONALD M. AND BONNIE J. MCINTYRE (OWNERS). (GODWIN)

1st MOTION

The Planning and Inspections Staff recommends denial of the requested district of C(P) Planned Commercial but approval of the C2(P) Planned Service and Retail for Case No. P15-30 based on the following:

1. If approved, the C2(P) district will allow for uses that are consistent with those uses considered to be appropriate along a commercial gateway into a small town; and
2. The C2(P) district would be consistent with the recent rezoning of adjacent property.

2nd MOTION

The Planning and Inspections Staff recommends the board find that denial of C(P) Planned Commercial but approval of C2(P) Planned Service and Retail district for Case No. P15-30 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "community growth area" at this location. The recommended C2(P) Planned Service and Retail district will ensure that the allowed uses are consistent with other uses in this area and that the allowed uses are appropriate along an entrance corridor to the Town of Godwin. The recommended district is also consistent with the Vision Northeast Land Use Plan which calls for "commercial" at this location.

The staff recommends the board further find that approval of the C2(P) Planned Service and Retail district is reasonable and in the public interest because the recommended requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *public water and sewer required; must have direct access to a collector street; should have other light commercial uses in the area; should provide convenient goods and services to the immediate surrounding neighborhood and may be located along a street that is in transition from residential to non-residential through redevelopment and physical improvements.*

There are no other districts considered to be suitable for this location.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P15-30
SITE PROFILE

P15-30. REZONING OF 2.90+/- ACRES FROM C1(P) PLANNED LOCAL BUSINESS TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED IN THE SOUTHEASTERN QUADRANT OF NC HWY 301 (DUNN ROAD) AND NC HWY 82 (MAIN STREET), SUBMITTED BY DONALD M. AND BONNIE J. MCINTYRE (OWNERS). (GODWIN)

Site Information:

Frontage & Location: 104.88'+/- on Main Street (HWY 82)

Depth: 834.09'+/-

Jurisdiction: Godwin

Adjacent Property: Yes, northwest of subject property

Current Use: Vacant land

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

Nonconformities: None

Zoning Violation(s): None issued

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 & multi-family), religious worship, post office, livestock & machinery sales, second-hand store, farmland & woodlands

2030 Growth Vision Plan: Community Growth Area

Vision Northeast Land Use Plan: Commercial

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Town of Godwin/Norcross

Soil Limitations: Yes, hydric – GR Grantham loam

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

Average Daily Traffic Count (2012): 1,100 on SR 1810 (Godwin-Falcon Road)

Highway Plan: Dunn Road & Godwin Falcon Road are identified in the Highway Plan as Major Collectors. There are no road improvements/constructions specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Program

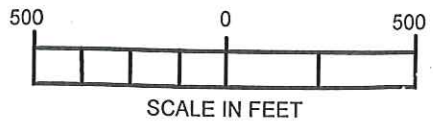
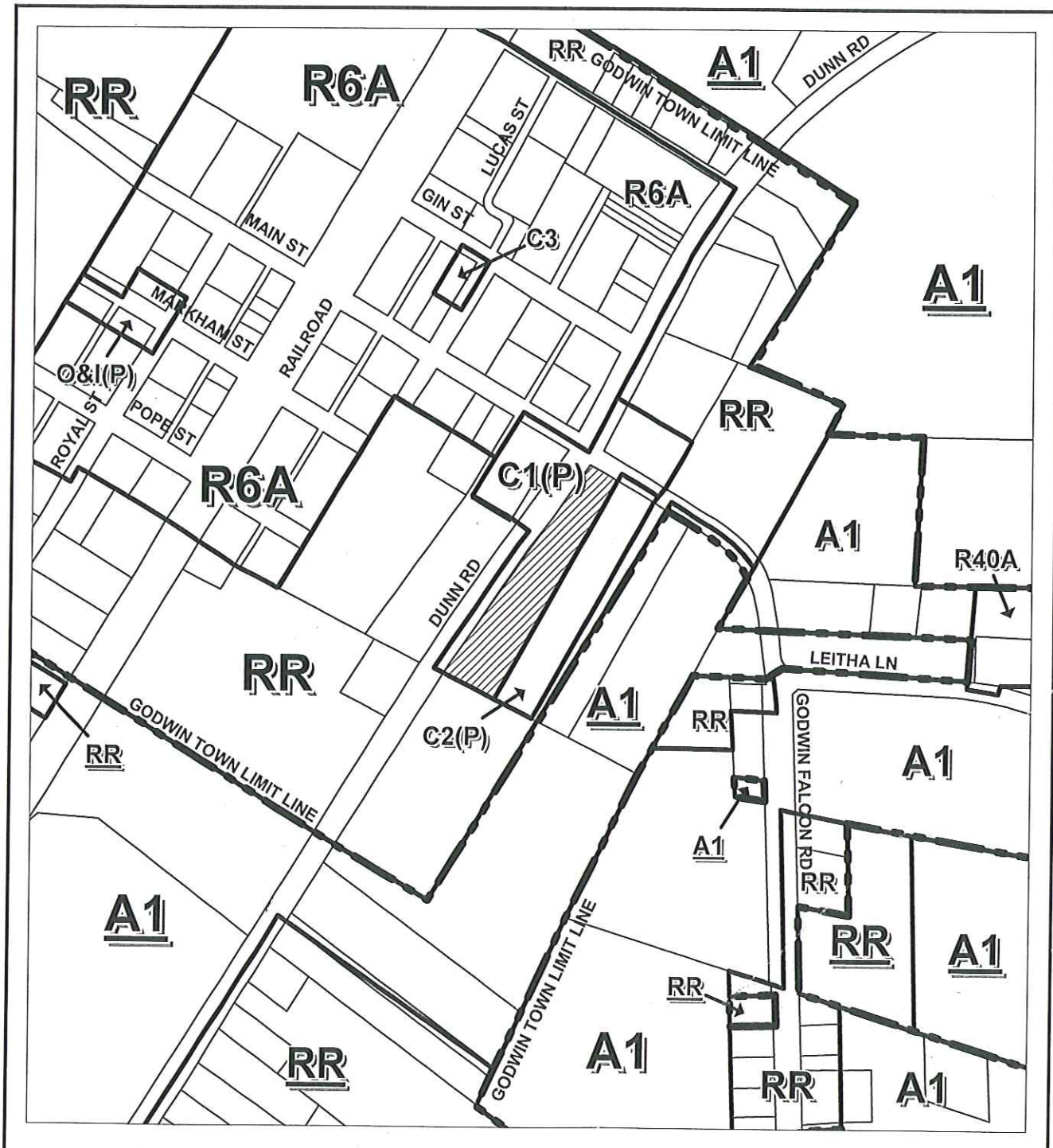
Note:

Minimum Yard Setback Regulations:

<u>C1(P)</u>	<u>C2(P) & C(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 C(P)

ACREAGE: 2.9 AC.+/-		HEARING NO: P15-30	
ORDINANCE: GODWIN	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0593-63-0353



Patricia Hall,
Chair
Town of Hope Mills

Charles C. Morris,
Vice-Chair
Town of Linden

Jami McLaughlin,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman

Donovan McLaurin
Wade, Falcon & Godwin

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

June 9, 2015

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the June 16, 2015 Board Meeting

P15-26. REZONING OF 1.33+/- ACRES FROM C2(P) PLANNED SERVICE AND RETAIL TO C1(P) PLANNED LOCAL BUSINESS/CZ CONDITIONAL ZONING FOR A CONVENIENCE STORE WITH GASOLINE SALES AND RESTAURANT OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHWEST SIDE OF SR 1112 (ROCKFISH ROAD), SOUTH OF WELL STREET; SUBMITTED BY PAT MOLAMPHY ON BEHALF OF ALBEMARLE OIL COMPANY (OWNER) AND CLARK CAMPBELL, ESQUIRE. (HOPE MILLS)

1st MOTION

The Planning and Inspections Staff recommends approval of Case No. P15-26 for the C1(P) Planned Local Business/CZ Conditional Zoning district for a convenience store with gasoline sales and restaurant based on the following:

1. The requested district is more restrictive than the existing C2(P) zoning; and
2. Rockfish Road is expected to be improved to a 4-lane divided arterial which will be the impetus for the area transitioning to more commercial uses.

However, the staff only recommends approval if the developer (1) agrees to shift the Rockfish Road driveway 50' to the west so that it will be further away from the curve and afford safer ingress/egress and (2) if the developer agrees to eliminate the proposed gasoline pump located at the curb cut on Hilltop Drive, including shortening that portion of the canopy, so that it does not impede motor vehicle traffic entering and exiting the site from Hilltop Drive.

2nd MOTION

The district requested is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan which calls for "urban" at this location because the site is located in an urban area. The request is also consistent with the Southwest Cumberland Land Use Plan which calls for "mixed use development" including light commercial at this location.

The staff further recommends if the property owner agrees to the aforementioned, the board find this request to be reasonable and in the public interest because the district requested is more restrictive than the existing zoning. The property owner is voluntarily eliminating all uses typically allowed in the zoning districts except for a convenience store with a small restaurant. The request also meets or exceeds the location criteria of the adopted Land Use Plan, in that: *public water and sewer required; must have direct access to a collector street; should serve as a transition between heavy commercial, office & institutional or residential development; should have other light commercial uses in the area; should provide convenient goods and services to the immediate surrounding neighborhood and may be located along a street that is in transition from residential to non-residential through redevelopment and physical improvements.*

There are no other districts considered suitable for this request at this location. The property owner has voluntarily agreed to all draft "Ordinance Related Conditions."

Attachments: 1 – Site Profile, 2 – Sketch Map, 3 – Site Plan, 4 – Ordinance Related Conditions, 5 – Application

P15-26
SITE PROFILE

P15-26. REZONING OF 1.33+/- ACRES FROM C2(P) PLANNED SERVICE AND RETAIL TO C1(P) PLANNED LOCAL BUSINESS/CZ CONDITIONAL ZONING FOR A CONVENIENCE STORE WITH GASOLINE SALES AND RESTAURANT OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHWEST SIDE OF SR 1112 (ROCKFISH ROAD), SOUTH OF WELL STREET; SUBMITTED BY PAT MOLAMPHY ON BEHALF OF ALBEMARLE OIL COMPANY (OWNER) AND CLARK CAMPBELL, ESQUIRE. (HOPE MILLS)

Site Information:

Frontage & Location: 428.78'+/- on SR 1112 (Rockfish Road)

Depth: 312.00'+/-

Jurisdiction: Town of Hope Mills

Adjacent Property: No

Current Use: Vacant land

Initial Zoning: R10 – 1985; rezoned to C2(P) on October 21, 2013

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: C3, C1(P), O&I(P), R10, R6 & R5; South: M2, C3, C(P), O&I(P), PND & R6; East: C2(P)/CU (variety store), C(P) & R6; West: O&I(P), R10 & R6 (all referenced districts are in the Town of Hope Mills)

Surrounding Land Use: Residential (including multi-family), government office, public utility, water tower, religious worship, outdoor recreation, veterinarian, office, variety sales, restaurant & woodlands

2030 Land Use Plan: Urban

Southwest Cumberland Land Use Plan: Mixed Use Development

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/PWC

Soil Limitations: None

School Capacity/Enrolled: Rockfish Elementary: 725/724; Hope Mills Middle: 740/685; South View High: 1,800/1,777

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

Average Daily Traffic Count (2012): 11,000 on SR 1112 (Rockfish Road)

Highway Plan: Rockfish Road is identified in the Highway Plan as a Minor Arterial needing improvement. This proposal calls for a multi-lane facility (U-4709, no start date) with a right-of-way of 110' (there is a billion dollar bond that may impact this project to be determined prior to July 2015).

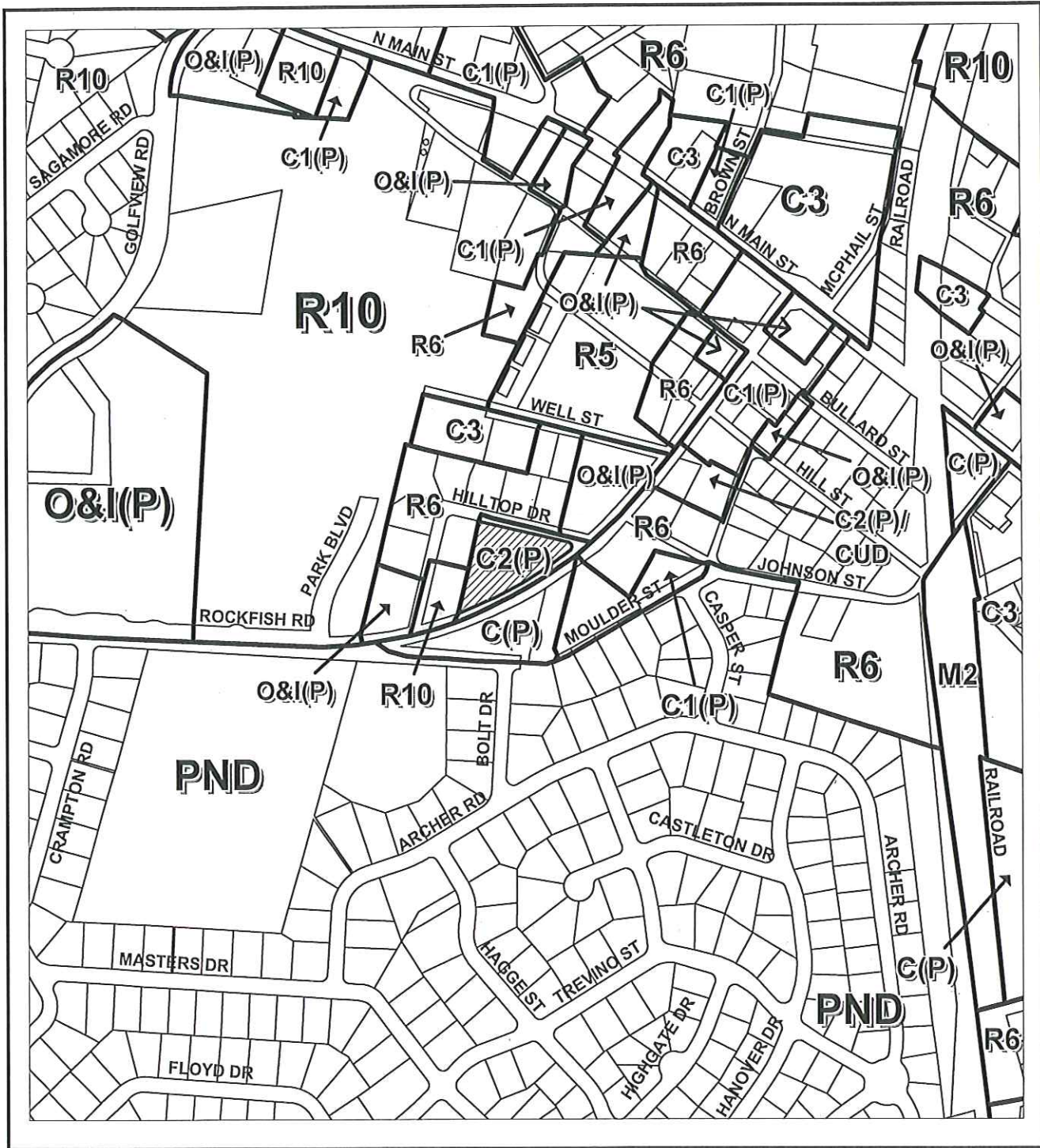
Note:

Minimum Yard Setback Regulations:

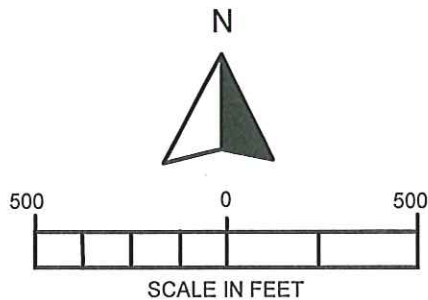
<u>C2(P)</u>	<u>C1(P)</u>
Front yard: 50'	Front yard: 45'
Side yard: 30'	Side yard: 15'
Rear yard: 30'	Rear yard: 20'

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.

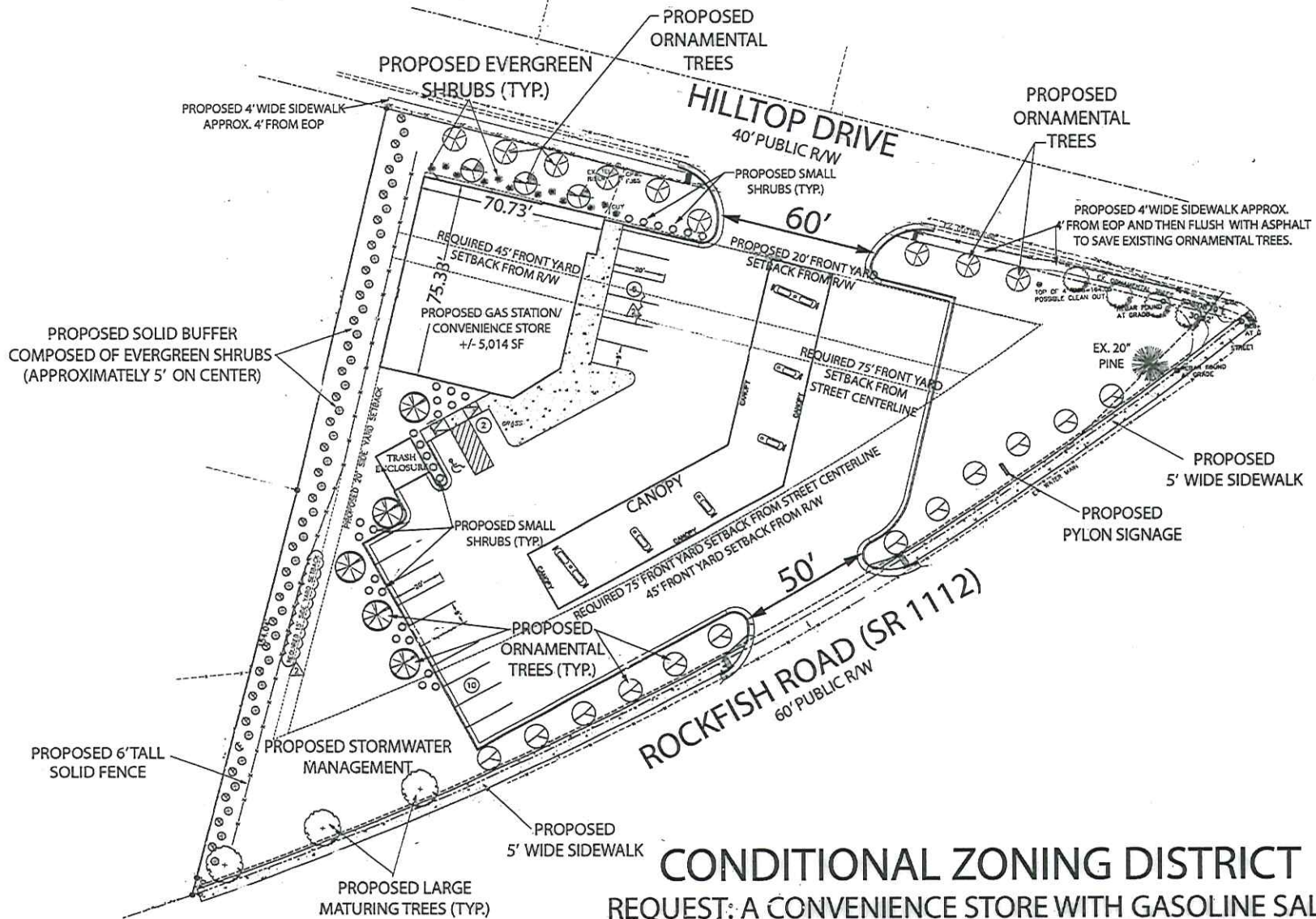


REQUESTED REZONING C2(P) TO C1(P)/CZ



PIN: 0414-35-8200

ACREAGE: 1.33 AC.+/-	HEARING NO: P15-26	
ORDINANCE: HOPE MILLS	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		



CONDITIONAL ZONING DISTRICT
REQUEST: A CONVENIENCE STORE WITH GASOLINE SALES
AND RESTAURANT

CASE: P15-26 ACREAGE: 1.33 AC +/-
 SCALE: NTS PARKING: 18 SPACES

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

CONDITIONAL ZONING DISTRICT

DRAFT

Ordinance Related Conditions

Convenience Store w/ Gasoline Sales and Restaurant

Pre- Permit Related:

1. The Town of Hope Mills has tree preservation provisions in their ordinance; the developer must contact Mike Bailey, Hope Mills Chief Building Inspector concerning the removal of trees from this site prior to obtaining a tree removal permit.

Permit-Related:

2. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the Hope Mills Zoning Ordinance and permits required to place any structure within this development from the Hope Mills Inspections Department in Town Hall at 5770 Rockfish Road. For additional information, the developer should contact the Chief Building Inspector.
3. The Town's Plan Review Committee requirements must be complied with and in the event any significant changes to the site plan are necessary to satisfy the Plan Review Committee's requirements, re-submittal of the site plan may be required.
4. 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. (Section 86A-406 (1), Public Water and Sewer Systems Hope Mills Subdivision Ordinance)
5. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
6. New development that will disturb one acre or more of land or is part of a larger common plan of development that will disturb one acre or more of land is subject to the Post-Construction Stormwater Management Permitting Program administered by the Hope Mills Stormwater Department. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site a copy of the Town's Stormwater Management Permit must be provided to the Town's Inspections Department.
7. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must 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 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.
8. Landscaping must be provided in accordance with Section 102A-1202(n), Landscaping, Hope Mills Zoning Ordinance and as shown on the site plan. The following are the minimum standards for the required landscaping of this site:
 - a. Three large shade trees or nine small ornamental trees within the front yard setback area along SR 1112 (Rockfish Road) and two large shade trees or six ornamental trees within the front yard setback area along Hilltop Drive;
 - b. Five ornamental trees and 42 shrubs are required in the building yard area;
 - c. One large shade tree and 6 shrubs are required within the parking area.

In addition:

- a. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and

- b. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.
 - c. The current Hope Mills Zoning Ordinance requires double the landscaping requirements when/if the site has been cleared of trees without the developer first obtaining a tree removal permit.
9. A drainage permit from the Town of Hope Mills Stormwater Department is required for any development or redevelopment that will construct, alter, repair, relocate, or demolish any storm sewer natural watercourse, or other drainage facility. The standards used for the design and construction of all stormwater drainage structures and/or stormwater BMP facilities shall be in accordance with the "Town of Hope Mills Stormwater Design Standards", the Design Manual, and shall be subject to the requirements of Chapter 67 Article III.
 10. A *Certificate of Occupancy* will not be issued until the Hope Mills Stormwater Department inspects the site and certifies that the site is developed in accordance with the approved plans.
 11. A *Certificate of Occupancy* will not be issued until a Zoning Inspector inspects the site and certifies that the site is developed in accordance with approved plans.
 12. Prior to application for the building final inspection, a concrete sidewalk along Hilltop Drive and AR 1112 (Rockfish Road) is required – contact the Town Planner with the Town of Hope Mills for more information regarding this condition.

Site-Related:

13. All uses, dimensions, setbacks and other related provisions of the Hope Mills Subdivision and Zoning Ordinances for the C1(P)/CZ zoning district for the convenience store and restaurant must be complied with, as applicable, to include the contents of the application and site plan.
14. All corner lots and lots fronting more than one street must provide front yard setbacks from each street.
15. This conditional approval is not approval of the permit for the freestanding sign. Attached signage for this development must be in accordance with the applicable sign regulations and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.)
16. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris.
17. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground.
18. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
19. Turn lanes may be required by the NC Department of Transportation (NCDOT).
20. All lighting is required to be directed internally within this development and comply with the provisions of the Hope Mills Zoning Ordinance.
21. A solid buffer must be provided and maintained along the western property lines where this tract/site abuts residentially zoned properties in accordance with the provisions of Section 102A-1202(g), Buffer Requirements, Hope Mills Zoning Ordinance. (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)
22. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
23. All required off-street parking spaces shall be a minimum of 9' x 20' and shall be surfaced, with a permanent material such as asphalt or concrete, and striped prior to application for the building final inspection. A minimum of 14 off-street parking spaces are required for this development.
24. A minimum of one off-street loading spaces(s) measuring 12' x 25' with 14' overhead clearance must be provided.

Advisories:

25. The applicant is advised to consult an expert on wetlands before proceeding with any development.
26. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.

Thank you for choosing the Town of Hope Mills for your business location !

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605 with the Land Use Codes Section; otherwise, contact the appropriate agency at the contact numbers below.

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

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Fire Marshal – Emergency Services	Rodney Ward	321-6625
County Engineer’s Office:	Wayne Dudley	678-7636
County Health Department:	Daniel Ortiz	433-3680
PWC:	Joe Glass	223-4740
Town of Hope Mills:		424-4555*
Town Clerk:	Melissa P. Adams	
Town Planner:	Chancer McLaughlin	
Chief Building Inspector:	Mike Bailey	
Stormwater Administrator:	Melanie Clerkley	
Zoning Inspector:	Jeff Wade	
Corp of Engineers (wetlands):	Emily Greer	(910) 251-4049
NCDENR (E&S):	Brad Cole	433-3300
Location Services:		
Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

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

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

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

1. Applicant/Agent ALBEMARLE OIL COMPANY
2. Address: PO 1059 ALBEMARLE, NC Zip Code 28002
3. Telephone: (Home) 1059 (Work) 704-985-9200 cell
4. Location of Property: 5722 ROCKFISH ROAD, HOPE MILLS
5. Parcel Identification Number (PIN #) of subject property: 0414-35-8200
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 1.33 Frontage: 291 Depth: 310'
7. Water Provider: PWC Septage Provider: PWC
8. Deed Book 9514, Page(s) 003 + 004, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: VACANT
10. Proposed use(s) of the property: CONVENIENCE STORE AND
SUB-SANDWICH FRANCHISE AS MINOR USE

NOTE: Be specific and list all intended uses.

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes _____ No X
12. Has a violation been issued on this property? Yes _____ No X
13. It is requested that the foregoing property be rezoned FROM: C2P

TO: (Select one)

- X Conditional Zoning District, with an underlying zoning district of C1P
(Article V)
- _____ Mixed Use District/Conditional Zoning District (Article VI)
- _____ Planned Neighborhood District/Conditional Zoning District (Article VII)
- _____ Density Development/Conditional Zoning District, at the _____ Density
(Article VIII)

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

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

Convenience STORE

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

1.33 ACRES COMMERCIAL
in

2. DIMENSIONAL REQUIREMENTS:

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

50' SETBACK ON ROCKFISH ROAD
20' SIDE YARD (see SITE PLAN vs. 15')
20' HILLTOP DRIVE

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

18 SPACES + 12 PARKING AT FUELLING POSITIONS

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIV.

20' SIGN PACKAGE, NO MORE THAN 100' SQUARE FEET,
PER ORDINANCE.

4. LANDSCAPE AND BUFFER REQUIREMENTS:

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

ON ROCKFISH
3 LARGE SPECIMEN TREES + 12 ORNAMENTAL TREES
ON HILLTOP
15 ORNAMENTAL TREES

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

6' SOLID FENCE
EVERGREEN SHRUBS 5' ON CENTER 3' AT TIME OF PLANTING

5. MISCELLANEOUS:

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

18 EMPLOYEES ON 2 DIFFERENT SHIFTS, HOURS 5AM TO 12PM

LIGHTING TO BE DIRECTIONAL LED.

NO SMOKE OR EMISSIONS.

6. SITE PLAN REQUIREMENTS:

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

7. STATEMENT OF ACKNOWLEDGMENT:

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

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

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

ALBEMARLE OIL COMPANY of PAT MOLANPHY
NAME OF OWNER(S) (PRINT OR TYPE)

PO 1059 ALBEMARLE NC 28002
ADDRESS OF OWNER(S)

PAT MOLANPHY @ YAHOO.COM
E-MAIL

HOME TELEPHONE CELL 704-985-9200
WORK TELEPHONE

Pat Molanphy
SIGNATURE OF OWNER(S) SIGNATURE OF OWNER(S)

CLARK CAMPBELL, ATTORNEY BY *Pat Molanphy*
NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

200 McCASKILL ROAD PINEHURST NC 28374
ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE 910-215-0980
WORK TELEPHONE

E-MAIL ADDRESS 910-673-1327
FAX NUMBER

Pat Molanphy
SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT