

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

September 15, 2015
7:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRAL
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. APPROVAL OF THE MINUTES OF AUGUST 18, 2015
- VII. PUBLIC HEARING CONSENT ITEMS

REZONING CASES

- A. **P15-48.** REZONING OF .95+/- ACRE FROM O&I(P) PLANNED OFFICE AND INSTITUTIONAL TO R20 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 520 HARVARD DRIVE, SUBMITTED BY RUTH S. BARBOUR (OWNER) AND TIMOTHY EVANS.
- B. **P15-49.** REZONING OF 1.81+/- ACRES FROM RR RURAL RESIDENTIAL, R10 RESIDENTIAL AND C1(P) PLANNED LOCAL BUSINESS TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 3123 AND 3127 N MAIN STREET AND ON THE NORTHEAST SIDE OF NC HWY 59 (N MAIN STREET), SOUTHWEST OF BIG PINE DRIVE; SUBMITTED BY MARLENE A. WILLIAMS, SAVANNAH BARBARA SWARTOUT AND CYNTHIA SHARON WEST (OWNERS) AND LORI S. EPLER ON BEHALF OF LARRY KING AND ASSOCIATES, RLS.
- C. **P15-50.** REZONING OF .97+/- ACRE FROM R10 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHEAST SIDE OF SR 1451 (W MANCHESTER ROAD), SOUTHWEST OF NC HWY 87 (N BRAGG BLVD); SUBMITTED BY MARY A. TEW ON BEHALF OF PRESBYTERIAN CHURCH OF THE COVENANT (OWNER) AND LORI S. EPLER ON BEHALF OF LARRY KING AND ASSOCIATES, RLS.

CONDITIONAL ZONING DISTRICT

- D. **P15-47.** REZONING OF 3.33+/- ACRES FROM R6A RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS/CZ CONDITIONAL ZONING FOR TRADE CONTRACTOR OFFICE AND MINI-WAREHOUSING, LOCATED ON THE NORTHWEST SIDE OF US HWY 301 (DUNN ROAD), SOUTH OF SR 1722 (BEARD ROAD); SUBMITTED BY KINLAW V. JACOBS (OWNER).

VIII. CONTESTED ITEMS

IX. DISCUSSION

DIRECTOR'S UPDATE

X. ADJOURNMENT

Patricia Hall,
Chair
Town of Hope Mills

Charles C. Morris,
Vice-Chair
Town of Linden

Jami McLaughlin,
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Planning & Inspections Department

September 8, 2015

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

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

Benny Pearce,
Town of Eastover

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the September 15, 2015 Board Meeting

P15-48. REZONING OF .95+/- ACRE FROM O&I(P) PLANNED OFFICE AND INSTITUTIONAL TO R20 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 520 HARVARD DRIVE, SUBMITTED BY RUTH S. BARBOUR (OWNER) AND TIMOTHY EVANS.

1st MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P15-48 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “urban” at this location as the proposed district would allow development at 2.2 units or less per acre. The request is not consistent with South Central Land Use Plan which calls for “heavy commercial” at this location but is reasonable as approximately half of the subject property is currently zoned residential.

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 generally meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *use of septic allowed based on soil type, lot size and distance from public sewer; direct access to a public street is required*, Harvard Drive is a Public Street, and *must not be located in any defined critical area as defined by the Fort Bragg Small Study Area*.

2nd MOTION

In addition to the above information, the Planning and Inspections Staff also recommends the board approve Case No. P15-48 for R20 Residential 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 is compatible with the provisions of the Airport Overlay District;
2. The request is logical as, if approved, it will prevent the encroachment of non-residential uses in an established residential area; and
3. Public water is available to the subject property.

Because of the lack of public sewer, there are no other districts considered suitable for this request.

Attachments:

1 – Site Profile 2 – Sketch Map

P15-48
SITE PROFILE

P15-48. REZONING OF .95+/- ACRE FROM O&I(P) PLANNED OFFICE AND INSTITUTIONAL TO R20 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 520 HARVARD DRIVE, SUBMITTED BY RUTH S. BARBOUR (OWNER) AND TIMOTHY EVANS.

Site Information:

Frontage & Location: 226.00'+/- on Harvard Drive & 330.00'+/- on SR 2341 (Claude Lee Road)

Depth: 320.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Vacant land

Initial Zoning: R10 – March 15, 1979 (Area 6); portion rezoned to O&I(P) April 28, 1981

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: M(P), M2, C(P), M/A (Fay) & R10; South: M/A (Fay) & R10; East: C(P) & M/A (Fay); West: R10

Surrounding Land Use: Residential, building supply, airport, office & woodlands

2030 Land Use Plan: Urban

South Central Land Use Plan: Heavy commercial

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/Septic

Soil Limitations: None

School Capacity/Enrolled: Elizabeth Cashwell Elementary: 800/702; South View Middle: 900/705; South View High: 1,800/1,777

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

Municipal Influence Area: City of Fayetteville

Average Daily Traffic Count (2012): 2,500 on SR 2341 (Claude Lee Road)

Highway Plan: Harvard Road 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:

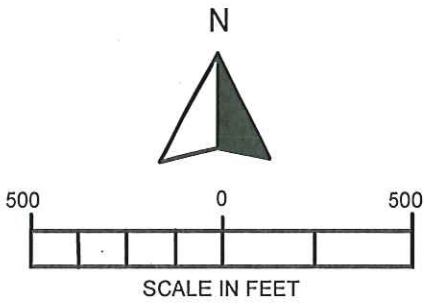
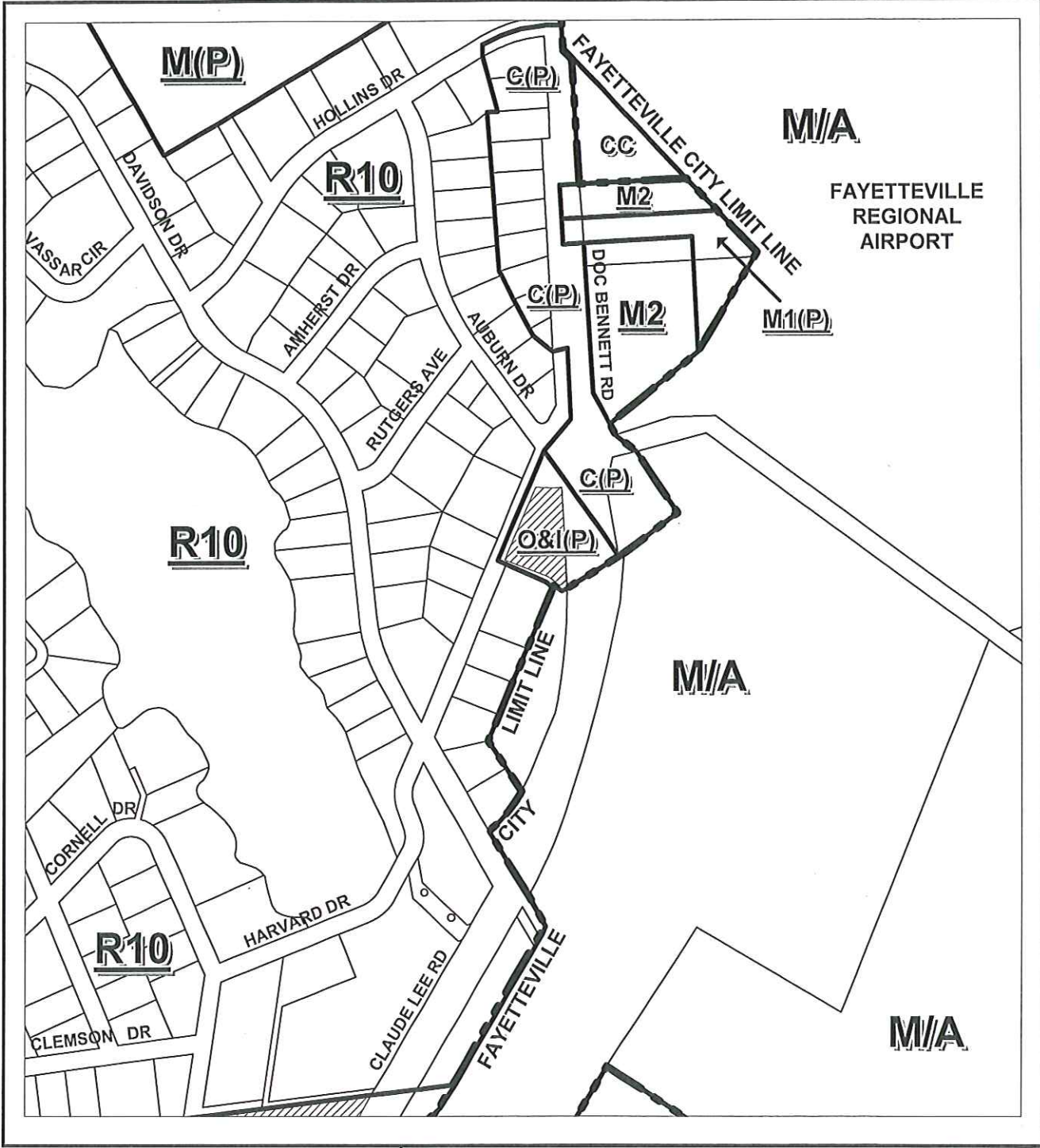
1. Density:
R10 Portion – 5 lots/units
R20 Portion – 2 lots/units

2. Minimum Yard Setback Regulations:

<u>R10 & R20</u>	<u>O&I(P)</u>
Front yard: 30'	Front yard: 35'
Side yard: 10'	Side yard: 15'
Rear yard: 35'	Rear yard: 20'

First Class and Record Owners' Mailed Notice Certification

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



REQUESTED REZONING O&I(P) TO R20

ACREAGE: 0.95 AC. +/-	HEARING NO: P15-48	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

Patricia Hall,
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Town of Hope Mills

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Cumberland County

Benny Pearce,
Town of Eastover

September 8, 2015

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the September 15, 2015 Board Meeting

P15-49. REZONING OF 1.81+/- ACRES FROM RR RURAL RESIDENTIAL, R10 RESIDENTIAL AND C1(P) PLANNED LOCAL BUSINESS TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 3123 AND 3127 N MAIN STREET AND ON THE NORTHEAST SIDE OF NC HWY 59 (N MAIN STREET), SOUTHWEST OF BIG PINE DRIVE; SUBMITTED BY MARLENE A. WILLIAMS, SAVANNAH BARBARA SWARTOUT AND CYNTHIA SHARON WEST (OWNERS) AND LORI S. EPLER ON BEHALF OF LARRY KING AND ASSOCIATES, RLS. (HOPE MILLS)

1st MOTION

The Planning and Inspections Staff recommends approval of Case No. P15-49 to C2(P) Planned Service and Retail district based on the following:

1. If approved the C2(P) district will allow for non-residential land uses and lot sizes that exist in the general area; and
2. Approval of the request would promote the re-development of non-residential structures on the subject properties, which previously was used for a drugstore and pottery studio.

2nd MOTION

The Planning and Inspections Staff recommends the board find that approval of C2(P) Planned Service and Retail district for Case No. P15-49 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "urban" at this location. The recommended district is also generally consistent with the Southwest Cumberland Land Use Plan which calls for "heavy 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 requested district 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*, North Main Street is a Principal Arterial; *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

P15-49
SITE PROFILE

P15-49. REZONING OF 1.81+/- ACRES FROM RR RURAL RESIDENTIAL, R10 RESIDENTIAL AND C1(P) PLANNED LOCAL BUSINESS TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 3123 AND 3127 N MAIN STREET AND ON THE NORTHEAST SIDE OF NC HWY 59 (N MAIN STREET), SOUTHWEST OF BIG PINE DRIVE; SUBMITTED BY MARLENE A. WILLIAMS, SAVANNAH BARBARA SWARTOUT AND CYNTHIA SHARON WEST (OWNERS) AND LORI S. EPLER ON BEHALF OF LARRY KING AND ASSOCIATES, RLS. (HOPE MILLS)

Site Information:

Frontage & Location: 332.28'+/- on NC 59 (N Main Street)

Depth: 282.90'+/-

Jurisdiction: Town of Hope Mills

Adjacent Property: No

Current Use: 2 vacant commercial buildings & vacant tract

Initial Zoning: R10 – November 17, 1975 (Area 4); portion rezoned to RR July 24,1984 & portion rezoned to C1(P) September 8, 1988

Nonconformities: One of the existing structures does not appear to meet side yard setbacks and another structure will not meet front yard setbacks if approved

Zoning Violation(s): None

Surrounding Zoning: North: C(P) (HM), C2(P) (HM), RR, R10 & R6A; South: C(P) (HM), C1(P) (HM), O&I(P) (HM), R10 (HM), R6A (HM) & R5A (HM); East: C(P) (HM), C1(P) (HM), RR (HM), R10 & R5A (HM); West: C(P) (HM) & C1(P) (HM)

Surrounding Land Use: Residential (including multi-family), offices (2), banks (2), hotel, strip malls (2), servicing or repair, motor vehicle parts sales, post office, vacant non-residential building & woodlands

2030 Land Use Plan: Urban

Southwest Cumberland Land Use Plan: Heavy commercial

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/PWC

Soil Limitations: None

School Capacity/Enrolled: C. Wayne Collier Elementary: 600/547; Hope Mills Middle: 740/685; South View High: 1,800/1,784

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

Average Daily Traffic Count (2012): 32,000 on SR NC 59 (N Main St)

Highway Plan: This portion of N Main Street is identified in the Highway Plan as a Thoroughfare needing improvement (4 lane divide). However, there is no construction date for this project as it is not currently included in the Transportation Improvement Program

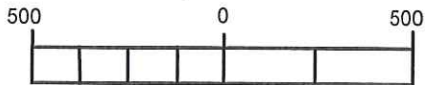
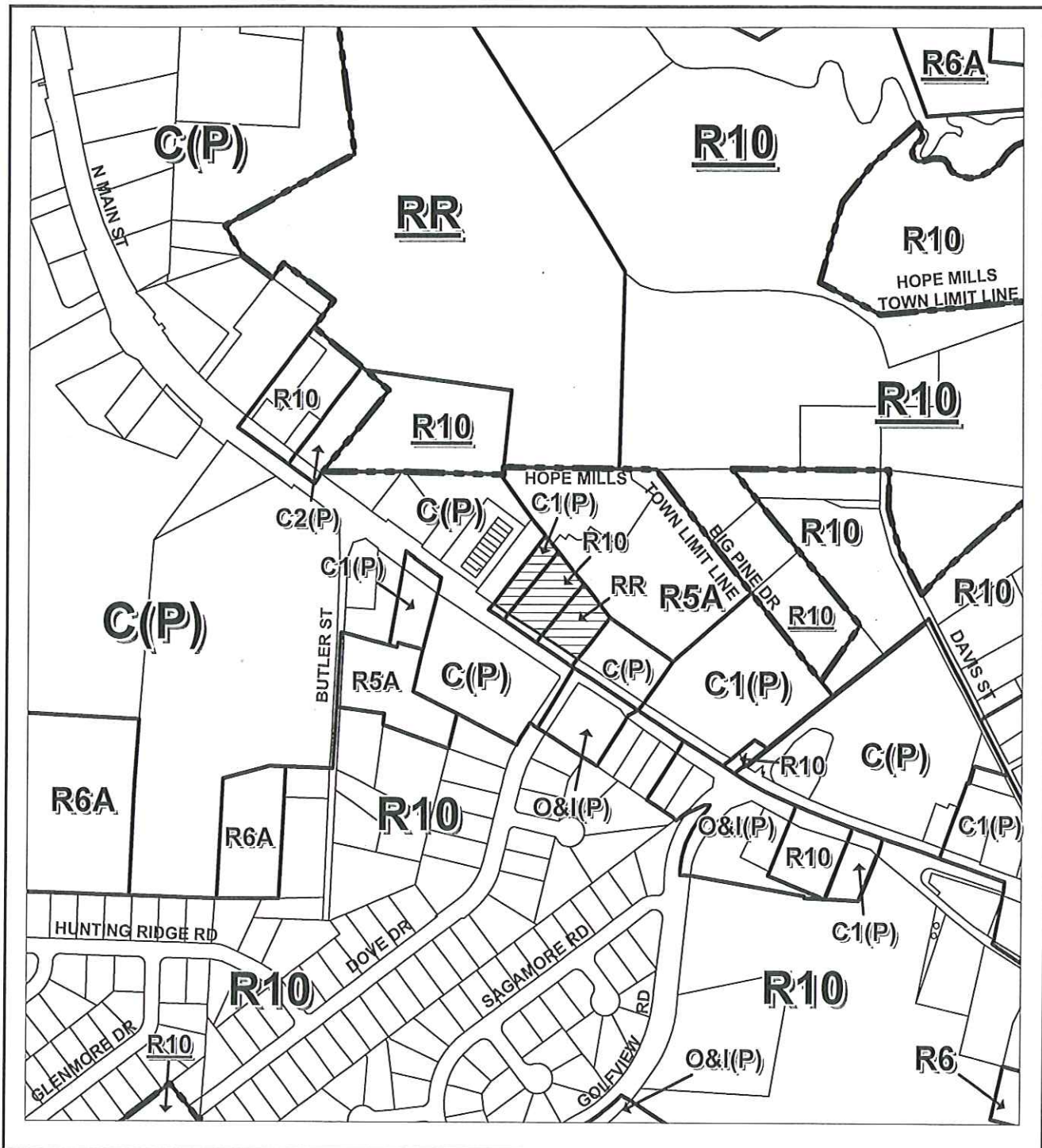
Notes: 1. Density:
R10 (R7.5) portion – 4 units/lots
RR portion – 1 unit/lot

2. Minimum Yard Setback Regulations:

<u>R10 (R7.5)</u>	<u>RR</u>	<u>C1(P)</u>	<u>C2(P)</u>
Front yard: 30'	Front yard: 30'	Front yard: 45'	Front yard: 50'
Side yard: 10'	Side yard: 15'	Side yard: 15'	Side yard: 30'
Rear yard: 35'	Rear yard: 35'	Rear yard: 20'	Rear yard: 30'

First Class and Record Owners' Mailed Notice Certification

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



SCALE IN FEET

REQUESTED REZONING RR, R10 & C1(P) TO C2(P)

ACREAGE: 1.81 AC. +/-

HEARING NO: P15-49

ORDINANCE: HOPE MILLS

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD

PIN: 0414-27-1773,2646,3547

AM

Patricia Hall,
Chair
Town of Hope Mills

Charles C. Morris,
Vice-Chair
Town of Linden

Jami McLaughlin,
Town of Spring Lake
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Diane Wheatley,
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Walter Clark,
Cumberland County

Benny Pearce,
Town of Eastover

September 8, 2015

TO: Cumberland County Joint Planning Board
FROM: Planning & Inspections Staff
SUBJECT: Staff Recommendation for the September 15, 2015 Board Meeting

P15-50. REZONING OF .97+/- ACRE FROM R10 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHEAST SIDE OF SR 1451 (W MANCHESTER ROAD), SOUTHWEST OF NC HWY 87 (N BRAGG BLVD); SUBMITTED BY MARY A. TEW ON BEHALF OF PRESBYTERIAN CHURCH OF THE COVENANT (OWNER) AND LORI S. EPLER ON BEHALF OF LARRY KING AND ASSOCIATES, RLS. (SPRING LAKE)

1st MOTION

The Planning and Inspections Staff recommends approval of Case No. P15-50 to C(P) Planned Commercial district based on the following:

1. If approved, the zoning would be consistent with adjacent zoning and land uses of properties in the general area;
and
2. Public utilities are available to the subject property.

There are no other districts considered suitable for this case.

2nd MOTION

The County Planning Staff recommends the board find that approval of the rezoning request for C(P) for Case No. P15-50 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan* because the Plan calls for “urban” at this location. The request is also consistent with the Spring Lake Area Detailed Land Use Plan which calls for “planned commercial” at this location.

The staff recommends the board further find that approval of the rezoning to C(P) is reasonable and in the public interest because the location criteria as listed in the adopted Land Use Policies Plan for C(P) will be met or exceeded: *public water and sewer required; should have minimum direct access to a collector street, W. Manchester Road is a Minor Arterial; should not be in a predominantly residential, office & institutional, or light commercial area and must be located on a sufficient site that provides adequate area for buffering, screening, and landscaping.*

Attachments:

1. Site Profile
2. Sketch Map

P15-50
SITE PROFILE

P15-50. REZONING OF .97+/- ACRE FROM R10 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHEAST SIDE OF SR 1451 (W MANCHESTER ROAD), SOUTHWEST OF NC HWY 87 (N BRAGG BLVD); SUBMITTED BY MARY A. TEW ON BEHALF OF PRESBYTERIAN CHURCH OF THE COVENANT (OWNER) AND LORI S. EPLER ON BEHALF OF LARRY KING AND ASSOCIATES, RLS. (SPRING LAKE)

Site Information:

Frontage & Location: 205.44'+/- on SR 1415 (W Manchester Road)

Depth: 216.36'+/-

Jurisdiction: Spring Lake

Adjacent Property: Yes, north & southwest of subject property

Current Use: Vacant land

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

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: C(P), RR, R15 (SL), R10 (SL) & CD; South: M(P), C3 (SL), C(P), RR (SL), R10, R6A (SL) & CD; East: C3 (SL) & C(P) (SL); West: M(P), C2(P) & R10

Surrounding Land Use: Residential (including multi-family & manufactured dwellings), day care, religious worship, vacant commercial structure, motel, convenience retail with gasoline sales, indoor recreation, mini-warehousing, farmland & woodlands

2030 Land Use Plan: Urban

Spring Lake Land Use Plan: Planned commercial

Special Flood Hazard Area (SFHA): None

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

Soil Limitations: None

School Capacity/Enrolled: Manchester Elementary: 340/364; Spring Lake Middle: 700/488; Pine Forest High: 1,750/1,597

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

RLUAC: Does not object to the request but advises that the property is in the Accident Potential Zone (APZ) of Pope Army Airfield and has high military aircraft noise levels (65db)

Average Daily Traffic Count (2012): 33,000 on NC 87 (N Bragg Blvd) & 9,800 on SR 1451 (W Manchester Road)

Highway Plan: W Manchester 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, W Manchester Road is under consideration for possible improvements as access to the military post

Notes:

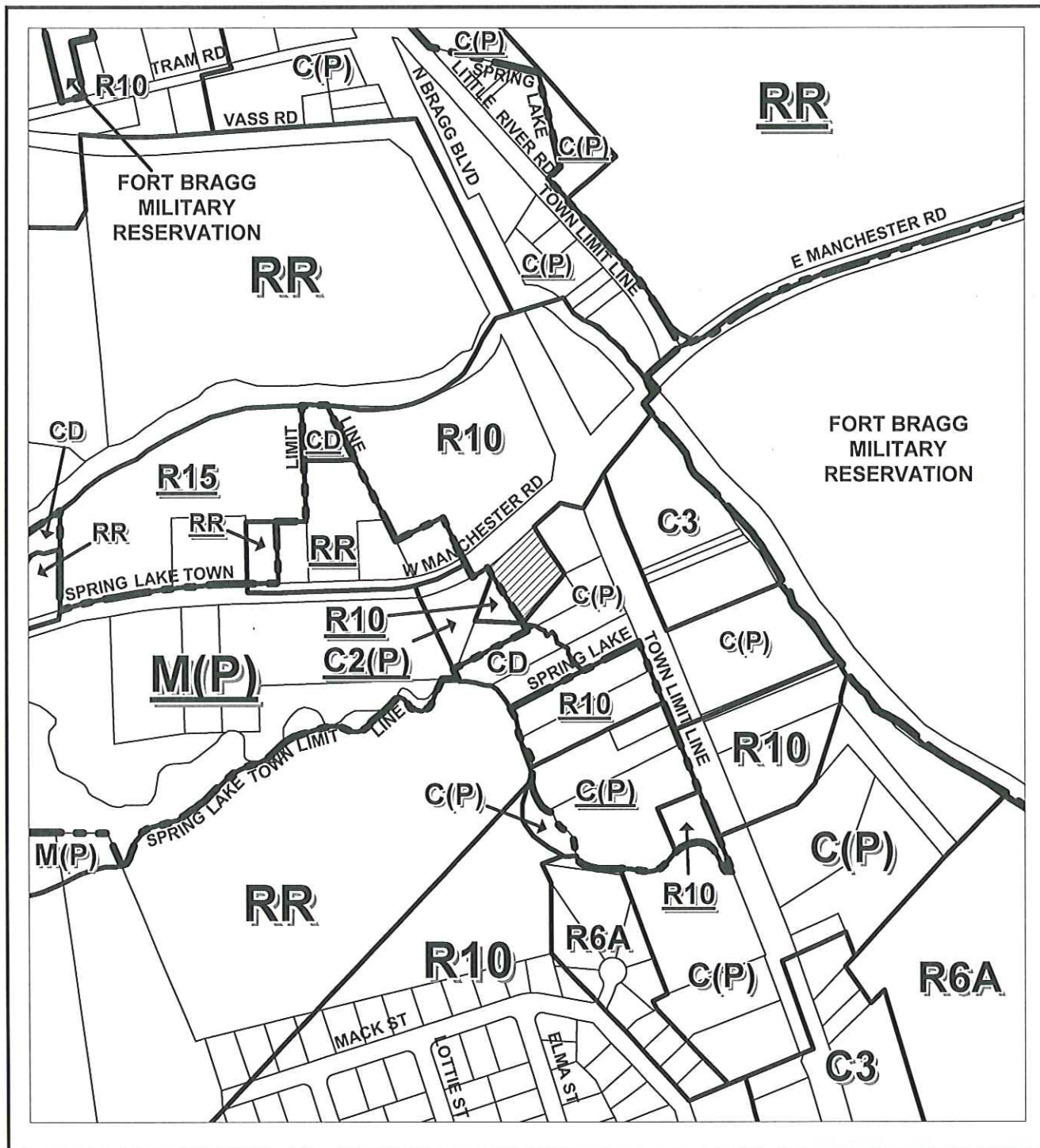
1. Density:
R10 – 4 lots/units

2. Minimum Yard Setback Regulations:

<u>R10</u>	<u>C(P)</u>
Front yard: 30'	Front yard: 50'
Side yard: 10'	Side yard: 30'
Rear yard: 35'	Rear yard: 30'

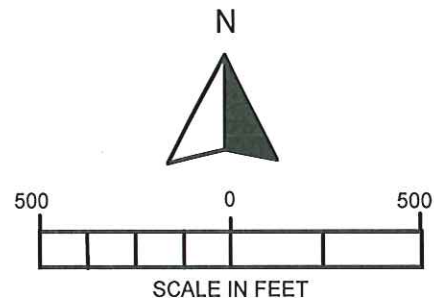
First Class and Record Owners' Mailed Notice Certification

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



REQUESTED REZONING R10 TO C(P)

ACREAGE: 0.97 AC.+/-	HEARING NO: P15-50	
ORDINANCE: SPRING LAKE	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		



PIN: 0502-34-9710

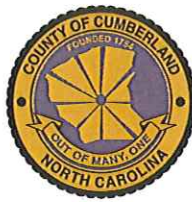
JM
9-9-15

Patricia Hall,
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Charles C. Morris,
Vice-Chair
Town of Linden

Jami McLaughlin,
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Cumberland County

Benny Pearce,
Town of Eastover

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the September 15, 2015 Board Meeting

P15-47. REZONING OF 3.33+/- ACRES FROM R6A RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS/CZ CONDITIONAL ZONING FOR TRADE CONTRACTOR OFFICE AND MINI-WAREHOUSING, LOCATED ON THE NORTHWEST SIDE OF US HWY 301 (DUNN ROAD), SOUTH OF SR 1722 (BEARD ROAD): SUBMITTED BY KINLAW V. JACOBS (OWNER). (EASTOVER)

1st MOTION

The Planning and Inspections Staff recommends the board approve Case No. P15-47 for the C1(P) Planned Local Business/CZ Conditional Zoning district for a trade contractor office and mini-warehousing based on the following:

- The location and character of the requested district and uses is reasonable as it will accommodate small scale, low-intensity services for the Town of Eastover.

2nd MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P15-47 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "community growth area" at this location as approval would provide mini-warehousing for local residents in close proximity to I-95. The request is not consistent with the Eastover Area Detailed Land Use Plan which calls for "medium density residential" at this location; however, the request is logical as the Eastover Plan was adopted prior to utilities being present, incorporation of the Town and the adoption of the Eastover Commercial Core Overlay District.

The staff recommends the board approve this rezoning request as it is reasonable and in the public interest because the district and uses requested for the subject property meets the location criteria of the adopted Land Use Policies Plan, in that: *public water and sewer required*, ESD water and sewer are available; *should have minimum direct access to a collector street*, Dunn Road is a Thoroughfare; *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. At time of printing, the property owner had not agreed to all "Ordinance Related Conditions."

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

P15-47
SITE PROFILE

P15-47. REZONING OF 3.33+/- ACRES FROM R6A RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS/CZ CONDITIONAL ZONING FOR TRADE CONTRACTOR OFFICE AND MINI-WAREHOUSING, LOCATED ON THE NORTHWEST SIDE OF US HWY 301 (DUNN ROAD), SOUTH OF SR 1722 (BEARD ROAD); SUBMITTED BY KINLAW V. JACOBS (OWNER). (EASTOVER)

Site Information:

Frontage & Location: 182.77'+/- on US Hwy 301 (Dunn Road), 168.77'+/- on Albatross Road and 253.00'+/- on St Hardy Lane

Depth: 410.00'+/-

Jurisdiction: Eastover

Adjacent Property: Yes, northwest, northeast & south of subject property

Current Use: Vacant land

Initial Zoning: R6A – December 14, 1979 (Area 10); initially zoned to R6A December 4, 2007 (Town of Eastover incorporated July 26, 2007); Commercial Core Overlay District adopted on October 2, 2012

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: RR/DD/CZ (87 lot residential subdivision), RR/CU (used auto sales), C(P), RR, R6A & R6; South: C2(P)/CZ (all permitted uses), M(P), C3, C(P), C1(P), RR, R15, R6A & A1; East: RR, R15 & R6A; West: RR & R6A (all referenced districts are in Eastover)

Surrounding Land Use: Residential (including manufactured dwellings & multi-family), substation, variety sales (2), dance studio, printing office & woodlands

2030 Growth Vision Plan: Community Growth Area

Eastover Area Detailed Land Use Plan: Medium Density Residential

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: ESD/ESD

Soil Limitations: None

School Capacity/Enrolled: Armstrong Elementary: 450/411; Mac Williams Middle: 1,270/1,165; Cape Fear High: 1,425/1,534

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

Average Daily Traffic Count (2012): 5,000 on Dunn Road (US 301)

Highway Plan: Dunn Road is identified in the Highway Plan as an existing Thoroughfare. 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:

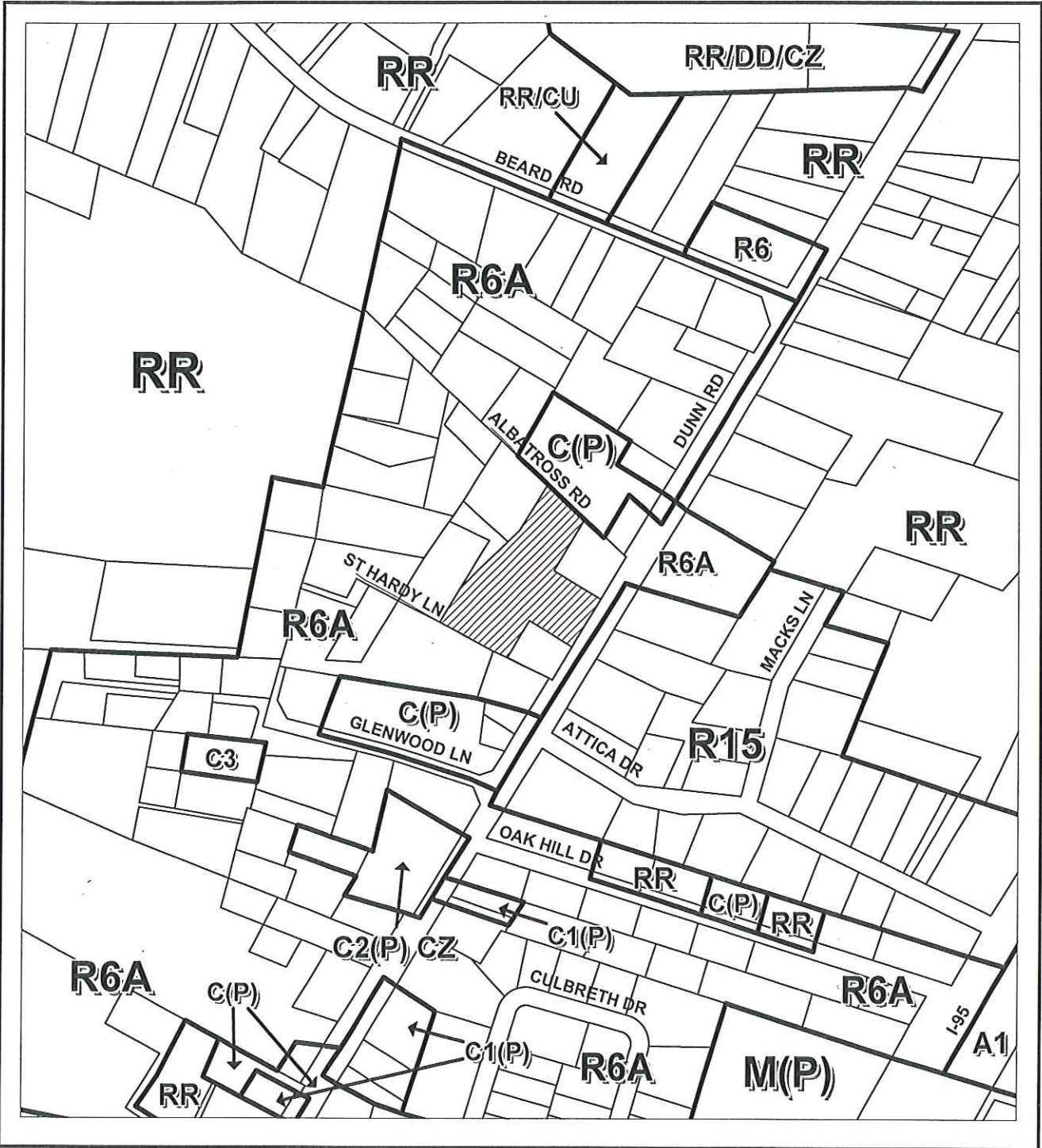
1. Density (minus 15% for ROW):
R6A – 35 lots/units (30 lots/units)

2. Minimum Yard Setback Regulations:

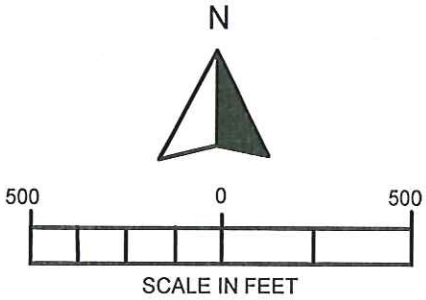
<u>R6A</u>	<u>C1(P)</u>
Front yard: 25'	Front yard: 50'
Side yard: 10'	Side yard: 30'
Rear yard: 15'	Rear yard: 30'

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.

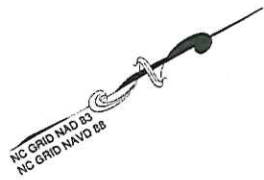
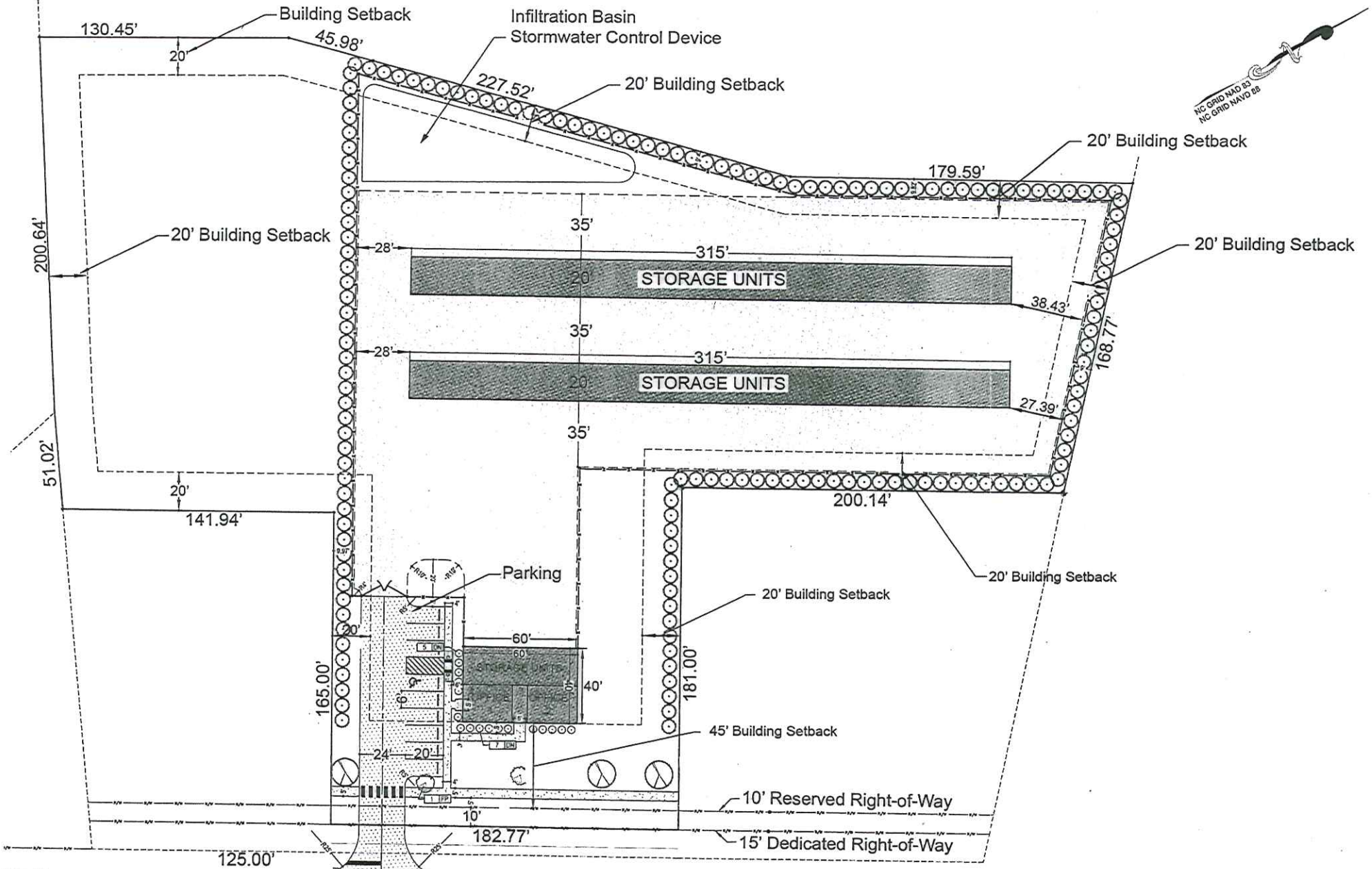


REQUESTED REZONING R6A TO C1(P)/CZ



PIN: 0469-52-6370

ACREAGE: 3.33 AC.+/-		HEARING NO: P15-47	
ORDINANCE: EASTOVER	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			



Dunn Road (Old U.S. 301)
 (60' NCDOT + 15' Dedicated ROW and 10' Reserved ROW Required
 by County as shown of Plat PB 134, PG 14, 55' from Centerline) Public

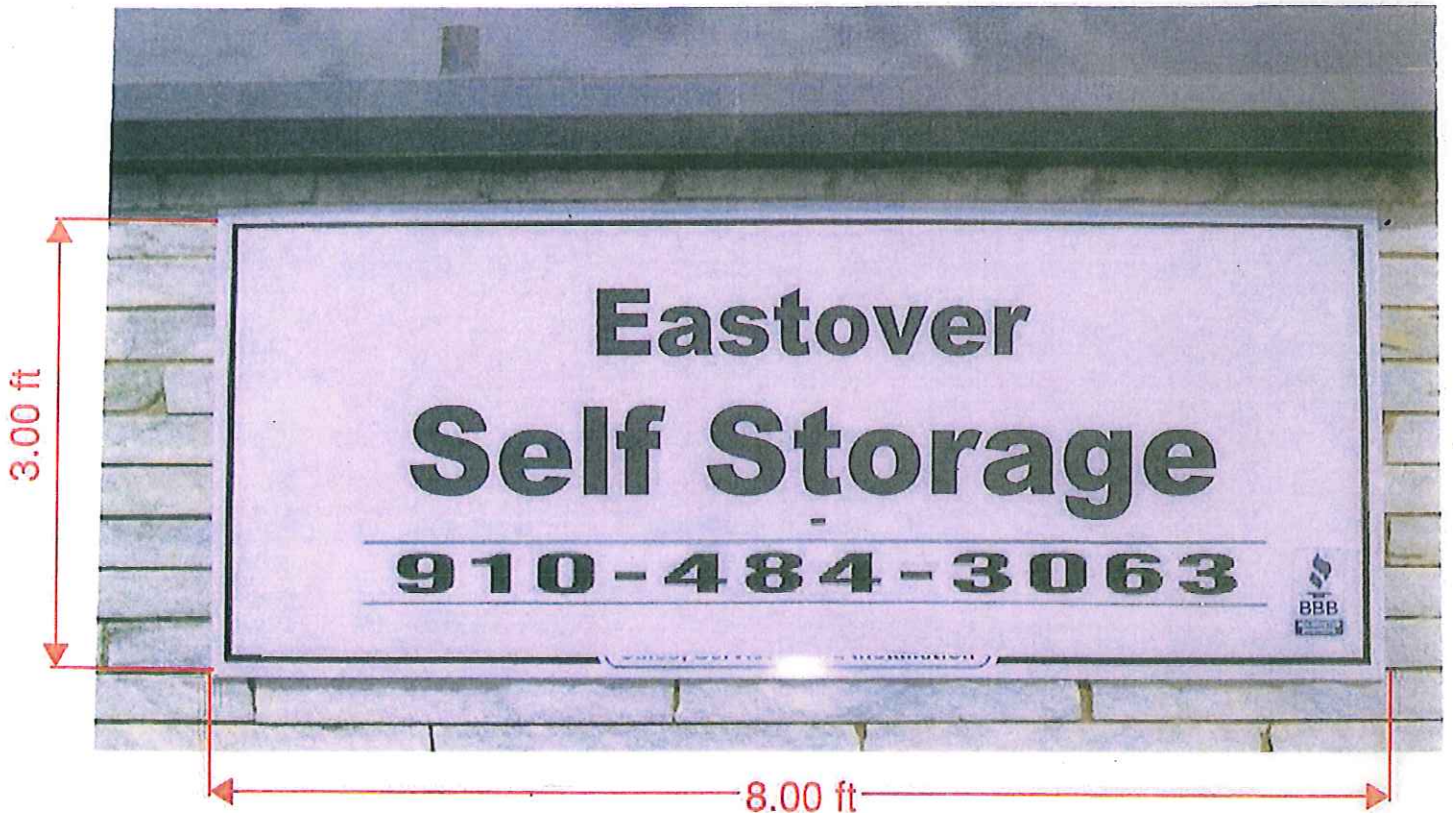
C1(P) PLANNED LOCAL BUSINESS/CZ CONDITIONAL ZONING
REQUEST: TRADE CONTRACTOR OFFICE AND MINI-WAREHOUSING

CASE: P15-47 ACREAGE: 3.33 +/-

SCALE: NTS PARKING: 9 SPACES

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

Sign Plan



C1(P) PLANNED LOCAL BUSINESS/CZ CONDITIONAL ZONING DISTRICT

Draft

Ordinance Related Conditions
For
Commercial Office for Construction Business and Mini-Warehousing Facility

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 Eastover Sanitary District (ESD) must approve water and sewer plans prior to application for any permits. A copy of the ESD approval must be provided to Code Enforcement at the time of application for building/zoning permits. (Section 2306 A.1, Public Water and Sewer Systems, County Subdivision and Development Ordinance)
3. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
4. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environment and Natural Resources. 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 State's *Post-Construction Permit* must be provided to County Code Enforcement.
5. 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.
6. Landscaping must be provided in accordance with the provisions of the Commercial Core Overlay District which requires six trees of a type as listed in the NC Department of Transportation's *Guidelines for Planting within Highway Right-of-Way* in an amount equivalent to at least **one tree for every 30 feet of road frontage** and is required to be located within the ten foot wide "amenity" area adjacent to and on the building side of the sidewalk, and/as shown and noted on the site plan. In addition, **eight ornamental trees and 75 shrubs** are required in the building yard area. Also,
 - 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.
7. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.
8. Prior to the building final inspection, a fire hydrant must be installed so the hydrant is located no further than 1,000 feet apart and at a maximum of 500 feet from any lot. (Section 2306 B, Fire hydrants, County Subdivision and Development Ordinance)
9. Prior to the building final inspection, a five foot wide grassed area and a five foot wide concrete sidewalk must be installed along US Hwy 301 (Dunn Road) as shown on the site plan.

Site-Related:

10. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance and Zoning Ordinances for the C1(P)/CZ for commercial construction office and mini-warehousing, including the contents of the application and site plan submitted for the Commercial Core Overlay District must be complied with, as applicable. Note: The setback lines shown on the rear line of the Jacobs' residential properties is shown as a 20 foot side yard, this measurement should be 45 feet front yard, the developer is inherently requesting to vary this requirement.
11. This conditional approval is not approval of any freestanding signs. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in the Commercial Core Overlay provisions and specifically approved by the Town Council, 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.)
12. "Dunn Road" must also be labeled as "US Hwy 301" on all future plans.
13. 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. (Section 2306 D, County Subdivision and Development Ordinance)
14. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision and Development Ordinance)
15. In the event a stormwater utility structure is required by the NC Department of Environment and Natural Resources (NCDENR), the owner/developer must secure the structure with a four foot high fence with a lockable gate, and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
16. 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.
17. Turn lanes may be required by the NC Department of Transportation (NCDOT).
18. 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. All pedestrian areas, including the off-street parking areas are required to be lighted with shielded, controlled lighting, and the components of the lighting structure must compliment the development.
19. A solid buffer must be provided and maintained along the property lines where this tract/site abuts residentially zoned properties in accordance with the provisions of Section 1102 G, Buffer Requirements, County Zoning Ordinance. (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)
20. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
21. All required off-street parking spaces shall be a minimum of 9' x 20'; a minimum of four off-street parking spaces plus one space for each vehicle used in conjunction with the use is required for this development.
22. The maximum building/structure height on the subject property is limited to 30 feet.
23. The developer must reserve enough area along each side of the subject property so that interconnectivity can be accomplished when/if that adjacent properties are developed.

Other Relevant Conditions:

24. The applicant is advised to consult an expert on wetlands before proceeding with any development.
25. The developer is encouraged to retain as many of the existing trees as possible.
26. The US Postal Service may require this development to have centralized cluster boxes for postal service to each lot or unit. The developer is advised contact the US Postal Growth Coordinator for the Mid-Carolinas District to determine the appropriate

location for the cluster boxes. If the cluster box location requires changes to the subdivision or site plan, a revised preliminary/plan must be submitted to the Planning & Inspections Department for review and approval.

- 27. 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 Eastover 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
Code Enforcement (Permits):	Scott Walters	321-6654
County Building Inspections:	Gary Faulkner	321-6648
Fire Marshal – Emergency Services	Rodney Ward	321-6625
Eastover Sanitary District:	Connie Spell	229-3716
Town of Eastover:	Matt Rooney (Staff Rep)	678-7625
Town of Eastover	Jane Faircloth (Town Clerk)	323-0707
Town of Eastover	Matt Rooney (Staff Rep)	678-7625
Corp of Engineers (wetlands):	Emily Greer	(910) 251-4049
NCDENR (E&S):	Leland Cottrell	433-3300
Location Services:		
Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Troy Baker	486-1496

- cc: Kim Nazarchyk, Manager, Town of Eastover
Jane Faircloth, Clerk, Town of Eastover
Connie Spell, Administrator, Eastover Sanitary District

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

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

1. Applicant/Agent KINLAW V. JACOBS
 2. Address: 3305 SAINT HARDY LANE EASTOVER, N. C. Zip Code 28312
 3. Telephone: (Home) 910-321-0954 (Work) 910-484-3063
 4. Location of Property: 4085 DUNN ROAD EASTOVER, N. C. 28312
4053 DUNN ROAD EASTOVER, N. C. 28312
 5. Parcel Identification Number (PIN #) of subject property: 0469-52-6370
(also known as Tax ID Number or Property Tax ID)
 6. Acreage: 3.33 Frontage: 182.5 Depth: 399.6
 7. Water Provider: EASTOVER SANITARY DISTRICT
 8. Septage Provider: EASTOVER SANITARY DISTRICT
 9. Deed Book 9644, Page(s) 0416, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
 10. Existing use of property: RESIDENTIAL RENTAL HOMES
 11. Proposed use(s) of the property: COMMERCIAL OFFICE FOR CONSTRUCTION BUSINESS
AND A SELF-STORAGE FACILITY.
- NOTE: Be specific and list all intended uses.**

12. It is requested that the foregoing property be rezoned FROM: R6A
TO: (Select one)
YES Conditional Zoning District, with an underlying zoning district of C1(P)
(Article IV)
 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).

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application.

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.)
COMMERCIAL OFFICE FOR CONSTRUCTION BUSINESS AND A SELF-STORAGE FACILITY.

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.

RESIDENTIAL ACREAGE- 2 LOTS 1 @ 0.55 ACRES AND 1 @ 0.81 ACRES.

COMMERCIAL ACREAGE- 1 LOT, 3.33 ACRES, 15,000 SF BLDGS PLANNED

2. DIMENSIONAL REQUIREMENTS:

A. Reference either the dimensional requirements of the district, Sec. 1104 or list the proposed setbacks. 45' front setback
20' side & rear setbacks

B. Off-street parking and loading, Sec.1202: List the number of spaces, type of surfacing material and any other pertinent information.

8 REGULAR PARKING SPACES (Req=60' x 20' x (1 space / 300 sf) = 4 spaces)

1 HANDICAP PARKING SPACE

ASPHALT SURFACE

2 SIGNS EACH 3' WIDE 8' LONG

1 ON EACH BUSINESS BUILDING FRONT

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

2 square feet of sign is allowed per foot of occupied building front:

60' x 2 sf/ft = 120 sf / two offices = 30 sf allowed per office (60 sf total)

2 ea 3 x 8 (24 sf signs planned) (48 sf total) on building facade.

(See attached Sign Plan)

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. 1102N). **NOTE: All required landscaping must be included on the site plan.**

See Site Plan

- B. Indicate the type of buffering and approximate location, width and setback from the property lines.

Wax Myrtle (*Morella Cerifera*) hedge. 3' in height at planting will grow in excess of 10'. Will be maintained at min 6'. Plant 8' on center as per manufacturer's recommendation. 158 plants total

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.

DAYS AND HOURS OF OPERATIONS ARE AS FOLLOWS:
MONDAY THRU SATURDAY 8:00 A. M. TILL 8:00 P. M.

6. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 1402. If the proposed uses involve development subject to the County 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 shall be of sufficient detail to allow the Planning and Inspections Staff and the Planning Board to analyze the proposed uses and arrangement of uses on the site. It shall also 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 Planning and Inspections 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 Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

KINLAW V. JACOBS AND WIFE LILLIAN M. JACOBS
NAME OF OWNER(S) (PRINT OR TYPE)

3305 SAINT HARDY LANE EASTOVER, N. C. 28312
ADDRESS OF OWNER(S)

Kjacobscons@aol.com
E-MAIL

910-321-0954 HOME TELEPHONE 910-484-3063 WORK TELEPHONE

Kinlaw V. Jacobs SIGNATURE OF OWNER(S) Lillian M. Jacobs 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