

Charles Morris,
Chair
Town of Linden

Diane Wheatley,
Vice-Chair
Cumberland County

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

Vacant
Wade, Falcon & Godwin



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

Planning & Inspections Department

Joel Strickland,
Acting Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Carl Manning,
Lori Epler
Cumberland County

Stan Crumpler,
Town of Eastover

Patricia Hall,
Town of Hope Mills

TENTATIVE AGENDA
November 20, 2018
7:00 P.M.

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

CASE HEADING HAS CHANGED

P18-16. REZONING OF 2.56+/- ACRES FROM R6A RESIDENTIAL & CD CONSERVANCY DISTRICT TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT THE NORTHWEST QUADRANT OF THE INTERSECTION OF SR 1118 (PARKTON ROAD) & NC 59 (SOUTH MAIN STREET), SOUTH OF ROCKFISH CREEK; SUBMITTED BY DAVID MCMILLAN (OWNER) & LORI S. EPLER ON BEHALF OF LARRY KING & ASSOCIATES (AGENT). **APPLICANT REQUESTED DEFERRAL TO 12/18/2018 PLANNING BOARD**

- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. APPROVAL OF THE MINUTES OF OCTOBER 16, 2018 & NOVEMBER 6, 2018
- VII. PUBLIC HEARING CONSENT ITEMS

REVOCATION OF CONDITIONAL USE OVERLAY

- A. **P03-41.** REVOCATION OF A CONDITIONAL USE OVERLAY FOR A CHILDREN'S DEVELOPMENT, AQUATIC AND FITNESS CENTER IN A RR RURAL RESIDENTIAL DISTRICT ON 2.56+/- ACRES, LOCATED AT 2316 WILLOUGBY DRIVE, SUBMITTED BY DWANE & PATRICIA CLODFELTER (OWNERS) & MIKE ADAMS ON BEHALF OF M.A.P.S. SURVEYING INC. (AGENT). (EASTOVER)

CONDITIONAL ZONING CASE

- B. **P18-47.** REZONING OF 2.00+/- ACRES FROM RR RURAL RESIDENTIAL TO C2(P) PLANNED SERVICE AND RETAIL DISTRICT/CZ CONDITIONAL ZONING FOR RETAILING OR SERVICING OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT THE NORTHWEST QUADRANT OF THE INTERSECTION OF NC HWY 87 & SR 2261 (ALDERMAN ROAD); SUBMITTED BY DENNIS WALTERS & WALTER CLARK ON BEHALF OF C & W PROPERTIES (OWNER) AND SCOTT BROWN ON BEHALF OF 4D SITE SOLUTIONS, INC (AGENT). (COUNTY)

REZONING CASES

- C. **P18-42.** REZONING OF 2.03+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON EAST SIDE OF SR 2252 (CHICKEN FOOT ROAD), NORTH OF SR 2246 (JOE HALL ROAD); SUBMITTED BY GREGORY V. SMITH ON BEHALF OF VANDER BUILT HOMES OF NC, LLC (OWNER) & TIM EVANS ON BEHALF OF LONGLEAF PROPERTIES, LLC (AGENT). (COUNTY)
- D. **P18-43.** REZONING OF 3.02+/- ACRES FROM C(P) PLANNED COMMERCIAL & M2 HEAVY INDUSTRIAL TO C3 HEAVY COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON WEST SIDE OF NORTH FIFTH STREET, NORTH OF SR 1602 (SPRING AVENUE); SUBMITTED BY TASOS HASAPIS ON BEHALF OF OMEGA ENTERPRISES I, LLC (OWNER). (SPRING LAKE)
- E. **P18-45.** REZONING OF 1.49+/- ACRES FROM R6 RESIDENTIAL & C3 HEAVY COMMERCIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2603 & 2605 HOPE MILLS ROAD; SUBMITTED BY TED HILL ON BEHALF OF HILLSIDE LANDSCAPE SUPPLIES, INC. (OWNER). (HOPE MILLS)

VIII. PUBLIC HEARING CONTESTED ITEMS

TEXT AMENDMENT

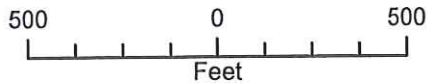
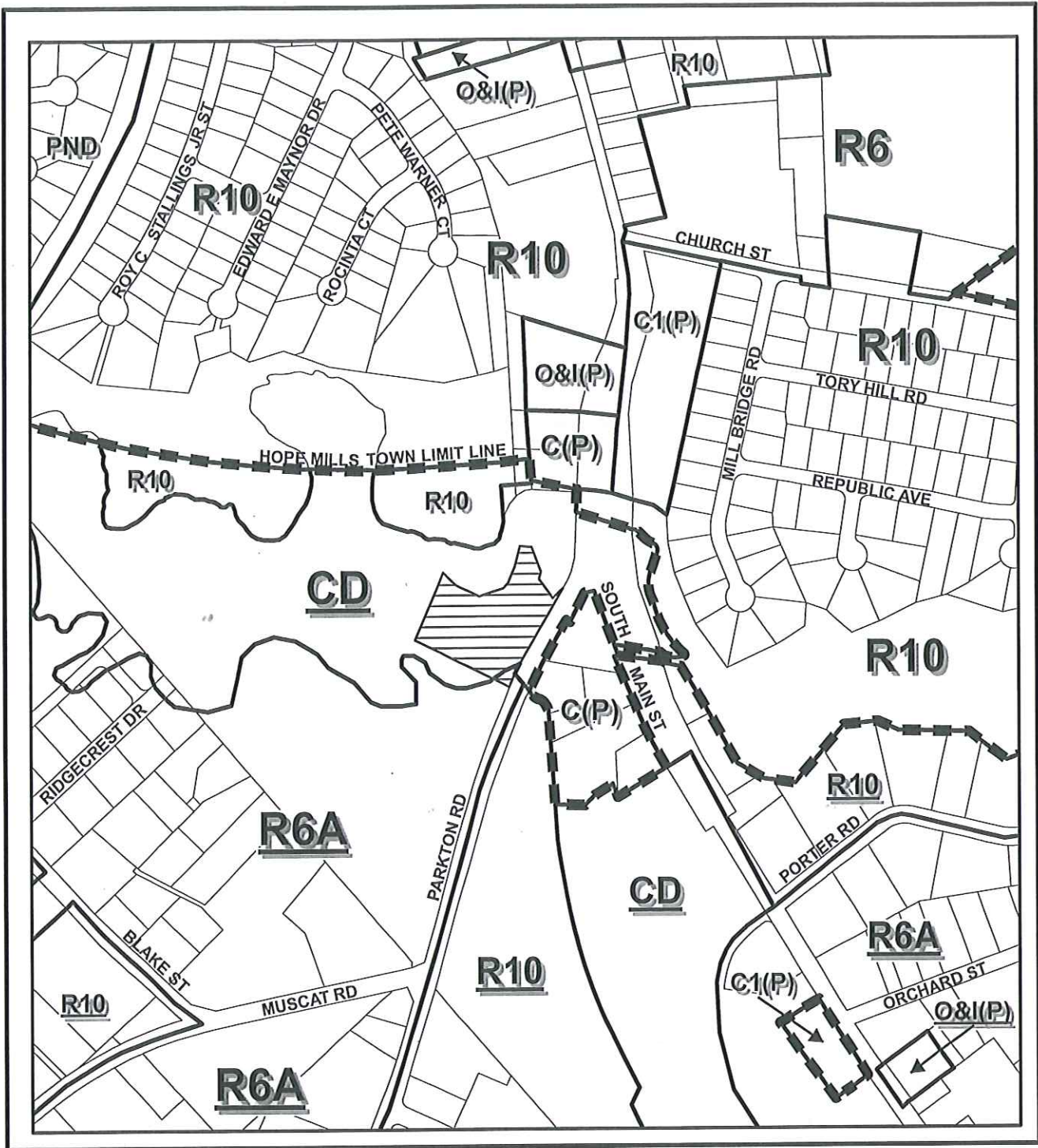
- F. **P18-44.** REVISION AND AMENDMENT TO THE HOPE MILLS SUBDIVISION ORDINANCE AMENDING ARTICLE IV DEVELOPMENT IMPROVEMENT AND DESIGN STANDARDS, SECTION 86A-403. MINIMUM LOT STANDARDS, SUB-SECTION F. LOTS INTENDED FOR COMMERCIAL AND INDUSTRIAL USES; AND SECTION 86A-405. SIDEWALKS AND WALKWAYS, SUB-SECTION A. SIDEWALKS AND WALKWAYS REQUIRED; AND REVISION AND AMENDMENT TO THE HOPE MILLS ZONING ORDINANCE AMENDING ARTICLE XV PLANNED DISTRICTS, SECTION 102A-1502. DETAILED SITE PLAN SPECIFICATIONS; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (HOPE MILLS)

REZONING CASE

- G. **P18-46.** REZONING OF 3.00+/- ACRES FROM R10 RESIDENTIAL & CD CONSERVANCY DISTRICT TO R6A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5187 & 5175 LAKEWOOD DRIVE, SUBMITTED BY WAREES & ASUMPTER WAREES (OWNERS). (COUNTY)

XI. DISCUSSION

XII. ADJOURNMENT



PORT OF PIN: 0414-50-9242

REQUESTED REZONING R6A & CD TO C(P)

ACREAGE: 2.56 AC. +/-	HEARING NO: P18-16	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

LH

REQUEST

Revocation of a Conditional Use Overlay for a children's development, aquatic and fitness center

ACREAGE: 2.56+/-

PROPERTY OWNER/APPLICANT
DWANE & PATRICIA CLODFELTER (OWNERS) & MIKE ADAMS ON BEHALF OF M.A.P.S. SURVEYING INC. (AGENT)

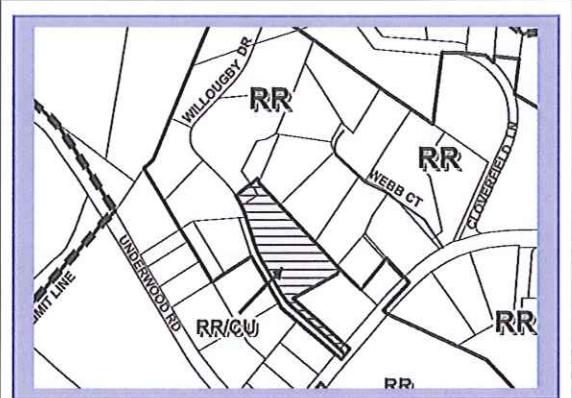
PROPERTY ADDRESS/LOCATION

2316 Willoughby Drive

Jurisdiction: **Eastover**

PROPERTY INFORMATION

Frontage & Location: 812'+/- on Willoughby Drive
 Depth: 240'+/-
 Adjacent Property: Yes
 Current Use: Vacant commercial structure & pool
 Town of Eastover: Town of Eastover has no comments.
 Initial Zoning: A1 – December 14, 1979 (Area 10); Rezoned to RR (Case P84-177) on December 17, 1984; Conditional Use Overlay approved May 19, 2003 (Case P03-41) for children's development, aquatic and fitness center
 Nonconformities: None
 Zoning Violation(s): None
 School Capacity/Enrolled: Armstrong Elementary: 450/439; Mac Williams Middle: 1270/1156; Cape Fear High: 1425/1466
 Special Flood Hazard Area (SFHA): None
 Water/Sewer Availability: Eastover Sanitary District/Septic
 Soil Limitations: Yes- Hydric: Ro (Roanoke and Wahee loams)
 Subdivision/Site Plan: If approved, subdivision, group development and/or recombination may be required
 Average Daily Traffic County (2016): 1,300 on SR 1728 (Middle Road)
 Highway Plan: Willoughby Drive is identified as a local road in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned; no impact on the Transportation Improvement Plan.



SURROUNDING LAND USE: Residential (including manufactured homes), outdoor recreation, farmland & woodlands

COMPREHENSIVE PLANS:
2030 Growth Vision Plan: Community Growth Areas
Eastover Land Use Plan (2000): One Acre Residential
Proposed Eastover Land Use Plan (2018): Rural Density Residential

Notes:

- Density**
RR- 5 lots/6 units
*Existing Private Class "C" street restricts density to 1 lot/2 units

2. Minimum Yard Setbacks:

	RR
Front yard:	30'
Side yard:	15'
Rear yard:	35'

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

DENIAL

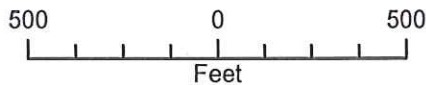
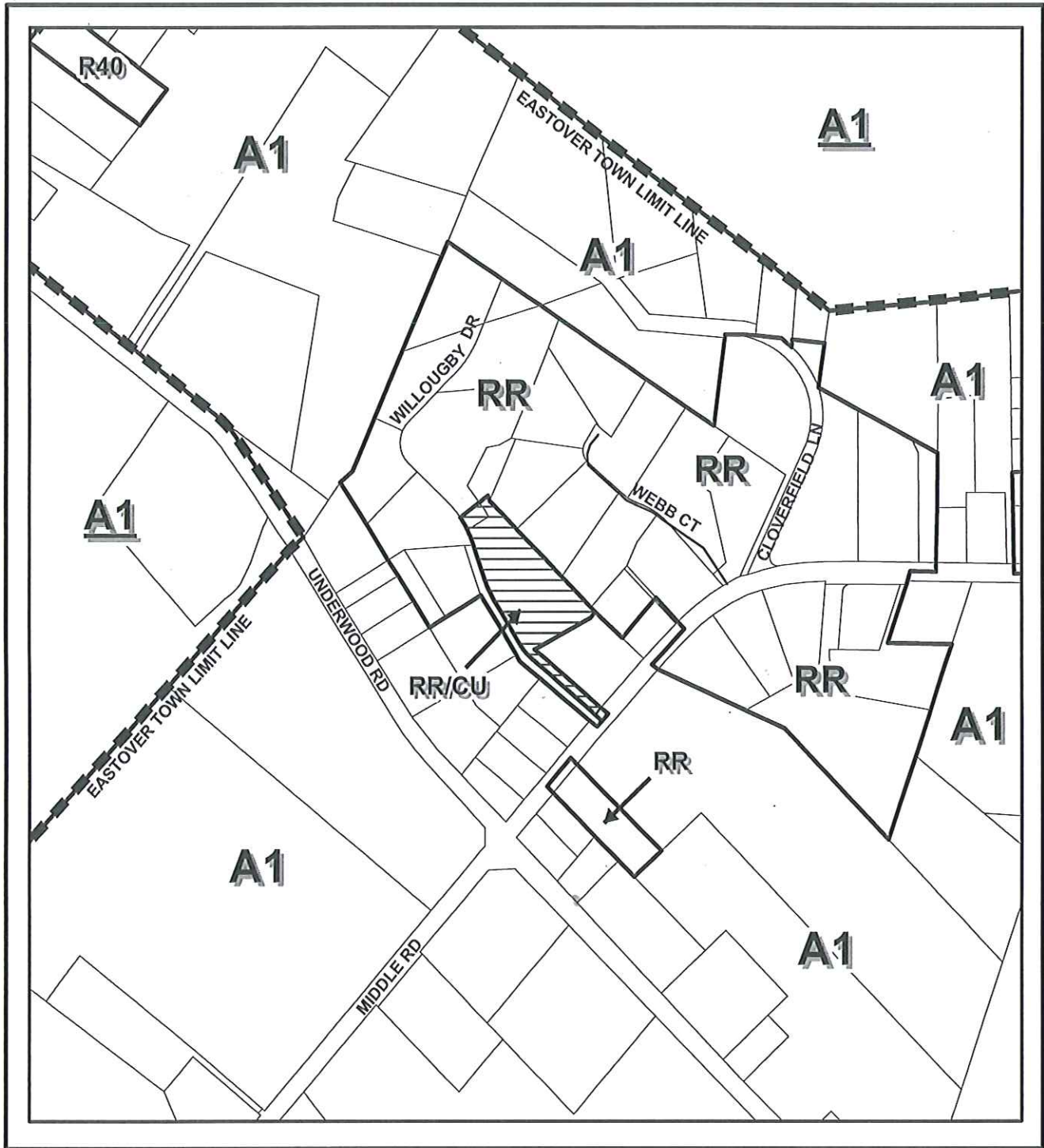
In Case P03-41, the Planning and Inspections Staff recommends approval of the revocation of the Conditional Use Overlay for a children's development, aquatic and fitness center at the property owner's request and find the Eastover Land Use Plan has been examined and does not address this particular situation; and further find approval of the request is reasonable and in the public interest because Conditional Use Overlays were approved prior to 2005 in order to allow land uses that were not permitted in the current zoning district in exceptional situations, later deemed as an improper use of zoning, and that the approved business is no longer in operation at this location.

OTHER SUITABLE DISTRICTS: None

ATTACHMENTS: SKETCH MAP

First Class and Record Owners' Mailed Notice Certification

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



REVOCATION CONDITIONAL USE OVERLAY

ACREAGE: 2.56 AC. +/-		HEARING NO: P03-41	
ORDINANCE: EASTOVER	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

Port of PIN: 0458-27-5019
 Port of PIN: 0458-27-3504

MB

REQUEST
RR to C2(P)/CZ for retailing or servicing

ACREAGE: 2.00+/-

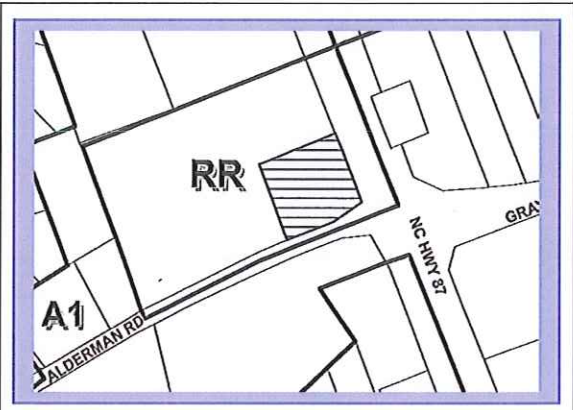
PROPERTY OWNER/APPLICANT
DENNIS WALTERS & WALTER CLARK ON BEHALF
OF C & W PROPERTIES (OWNER) AND SCOTT
BROWN ON BEHALF OF 4D SITE SOLUTIONS, INC
(AGENT)

PROPERTY ADDRESS/LOCATION
Northwest quadrant of the intersection of
NC Hwy 87 & SR 2261 (Alderman Road)

Jurisdiction: County

PROPERTY INFORMATION

Frontage & Location: 267'+/- on NC Hwy 87; 310' on SR 2261 (Alderman Road)
Depth: 290'+/-
Adjacent Property: Yes
Current Use: Farmland
Initial Zoning: RR – June 25, 1980 (Area 13)
Nonconformities: None
Zoning Violation(s): None
School Capacity/Enrolled: Alderman Road: 750/705; Gray's Creek Middle: 1100/1135; Gray's Creek High: 1470/1442
Special Flood Hazard Area (SFHA): None
Water/Sewer Availability: Well/Septic
Soil Limitations: None
Subdivision/Site Plan: See Ordinance Related Conditions
Average Daily Traffic County (2016): 1,400 on SR 2261 (Alderman Road); 11,000 on NC Hwy 87
Highway Plan: NC 87 is identified as an existing thoroughfare in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned. Alderman Road is identified as a local road in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned; no impact on the Transportation Improvement Plan.



SURROUNDING LAND USE: Residential (including manufactured homes), vacant convenience retail, elementary school, farmland & woodland

COMPREHENSIVE PLANS:
2030 Growth Vision Plan: Rural Areas
South Central Land Use Plan (2015): Farmland

Notes:

1. **Density**
RR- 4 lots/units
2. **Minimum Yard Setbacks:**

	RR	C2(P)
Front yard:	30'	50'
Side yard:	15'	30'
Rear yard:	35'	30'
3. The property owner has agreed to all ordinance related conditions.

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

DENIAL

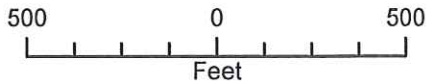
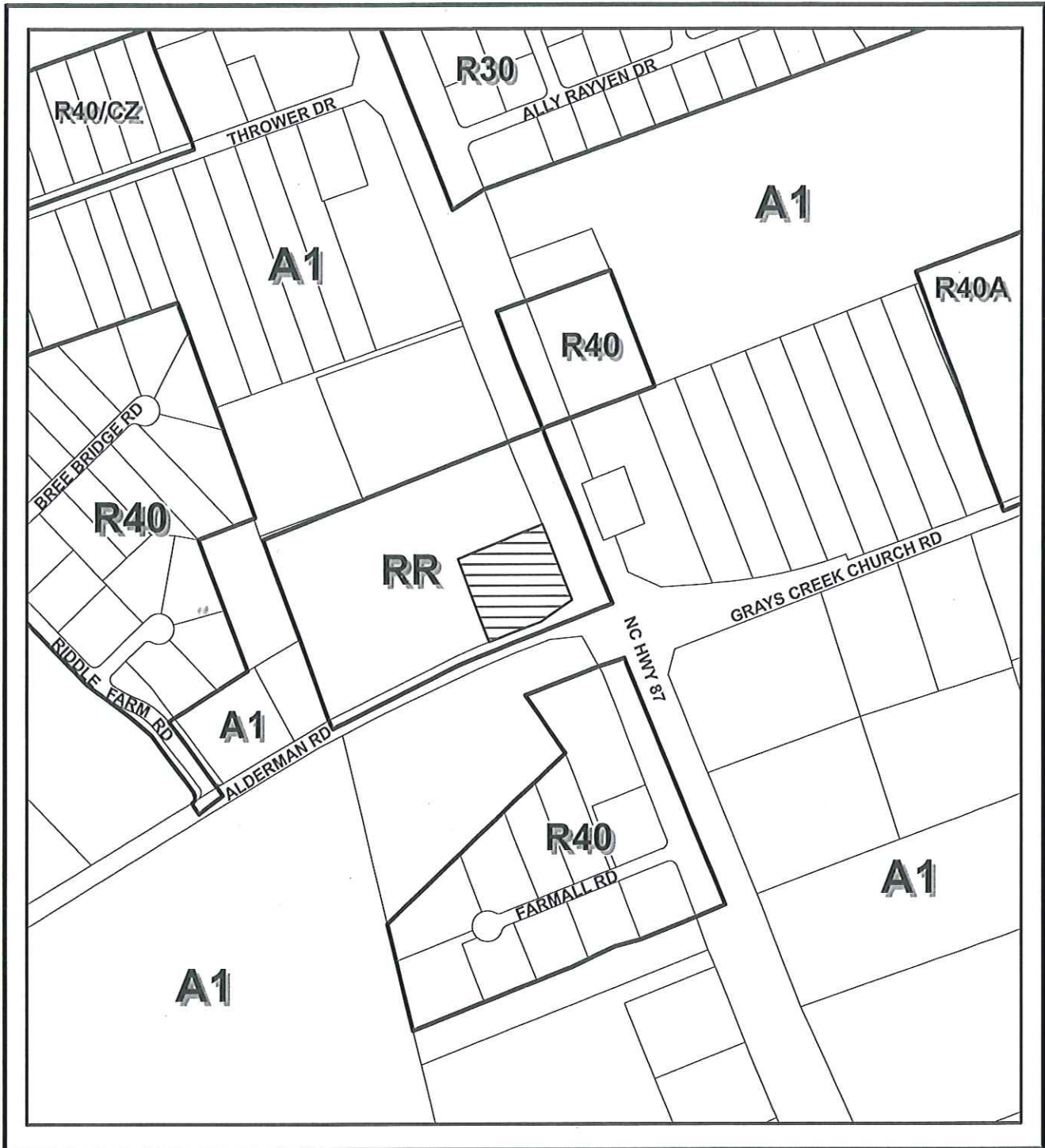
In Case P18-47, the Planning and Inspections Staff recommends approval of the rezoning from RR Rural Residential to C2(P)/CZ for retailing or servicing and find it is consistent with the adopted South Central Land Use Plan (2015) which calls for "farmland" at this location, the "farmland" designation allows for some limited commercial uses that are oriented specifically for a rural community such as convenient general merchandise stores and recommends that these uses be located at the intersection of two roads, and further find that approval of the request is reasonable and in the public interest because the district requested will allow a small, concentrated commercial node at this intersection to serve the needs of surrounding residents on a tract previously developed as a non-residential use.

OTHER SUITABLE DISTRICTS: None

ATTACHMENTS: SKETCH MAP SITE PLAN APPLICATION ORDINANCE RELATED CONDITIONS

First Class and Record Owners' Mailed Notice Certification

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

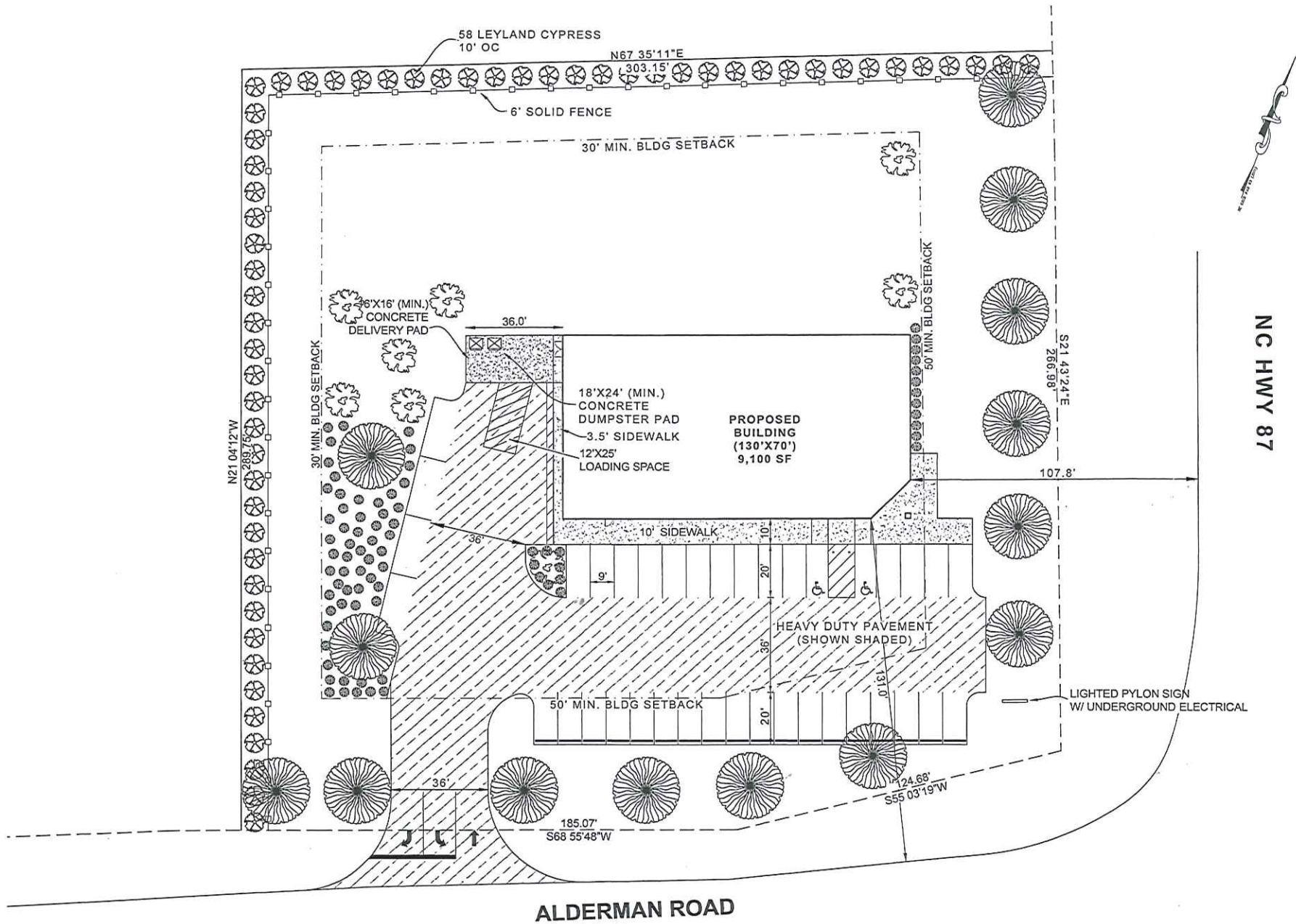


PORT OF PIN: 0441-38-5515

REQUESTED REZONING RR TO C2(P)/CZ

ACREAGE: 2.00 AC. +/-	HEARING NO: P18-47	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

LH



NC HWY 87

ALDERMAN ROAD

C2(P) PLANNED SERVICE AND RETAIL DISTRICT/CZ CONDITIONAL ZONING

REQUEST: RETAILING OR SERVICING

CASE: P18-47 ACREAGE: 2.00 AC +/-

SCALE: NTS PARKING: 38 SPACES

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

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 4D SiteSolutions, Inc - Scott Brown, PE
2. Address: 409 Chicago Drive, Suite 112, Fayetteville Zip Code 28306
3. Telephone: (Home) 910-489-6731 (Work) 910-426-6777
4. Location of Property: intersection of Alderman Road & NC Hwy 87
5. Parcel Identification Number (PIN #) of subject property: 0441-38-5515
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 2.0 Frontage: 2.66 Depth: 303
7. Water Provider: private well Septage Provider: on site septic
8. Deed Book 8979, Page(s) 41, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: farm
10. Proposed use(s) of the property: retail store with associated parking lot

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: RR
TO: (Select one)

- X Conditional Zoning District, with an underlying zoning district of C2P
(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.)

The proposed use will be for a retail store similar to a Dollar General, Family Dollar, etc and the associated parking.

- 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.

100% of property will be for commercial use.

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 1104 or list the proposed setbacks.

The setbacks for C2(P) listed in Section 1104 will honored

- B. Off-street parking and loading, Sec.1202 & 1203: List the number of spaces, type of surfacing material and any other pertinent information.

36 parking spaces are proposed that includes 2 handicap spaces. The parking lot will be asphalt with a concrete dumpster pad and loading area.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

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.**

Yard space - 8 ornamental trees & 81 shrubs

Street scape - 12 large trees

Parking area - 2 large trees

Tree list has been provided and shown on the attached site plan.

- B. Indicate the type of buffering and approximate location, width and setback from the property lines. (Sec. 1102G). **NOTE: All required buffers must be included on the site plan.**

We are requesting to rezone 2 acres from the overall property. A 10' vegetated buffer with a solid wooden fence will be installed along the adjoining property lines. The buffer is shown and labeled on the site plan.

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.

Typical operating hours are 7 am - 10 pm, 7 days a week. Exterior lighting is limited to the building and parking lot. The proposed use will generate no more noise than a typical retail store of similar size with a parking lot.

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 must be of sufficient detail to allow the Planning and Inspections Staff, Planning Board and County 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 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.

C&W Properties

NAME OF OWNER(S) (PRINT OR TYPE)

1124 Pony Drive, Hope Mills, NC 28348

ADDRESS OF OWNER(S)

drewboxwell@remax.net

E-MAIL

NA

HOME TELEPHONE

910-237-7835

WORK TELEPHONE


SIGNATURE OF OWNER(S)


SIGNATURE OF OWNER(S)

4D Site Solutions, Inc - Scott Brown, PE

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

409 Chicago Drive, Suite 112, Fayetteville, NC 28306

ADDRESS OF AGENT, ATTORNEY, APPLICANT

910-489-6731

HOME TELEPHONE

910-426-6777

WORK TELEPHONE

sbrown@4dsitesolutions.com

E-MAIL ADDRESS

910-426-5777

FAX NUMBER

SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

C2(P) PLANNED SERVICE & RETAIL/CZ CONDITIONAL ZONING DISTRICT

DRAFT

Ordinance Related Conditions for *Retailing or servicing* (includes subdivision review conditions)

Pre- Permit Related:

1. A recorded plat is required prior to permit application, see Plat-Related conditions below. [Sec. 4-8(b)(7), County Code]
2. Prior to permit application, the developer must provide to the Code Enforcement Section documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre.

If a plan is not required, per 15ANCAC 04B.0105 "Person conducting land disturbing activity shall take all reasonable measures to protect public and private property from damage cause by such activities." Sedimentation and erosion control measures will need to be installed to protect adjacent properties.

[Sec. 4-8(b)(6), County Code; originally under County jurisdiction relinquished to NCDEQ around 2000]

3. Authorization for wastewater system construction required before other permits to be issued. The County Health Department must approve sewer plans. Lots not served by public sewer systems are required to be large enough and of such physical character to comply with the Health Department's minimum standards. Site and soil evaluations must be conducted on the property by the County Environmental Health Department. A copy of the Health Department approval must be provided to Code Enforcement. (Note: All Health Department requirements must be met prior to issuance of final permits.) (NCGS § 130A-338 & Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)

Permit-Related:

4. The owner/developer(s) of these lots must obtain detailed instructions from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street on provisions of the County Zoning Ordinance and any permits that may be required to place any structure within this development or to commence any use of the subject property. For additional information, the developer should contact a Code Enforcement Officer. (Chpt. 4, County Code & Sec. 107, County Zoning Ord.)
5. When submitting building plans, ensure that all portions of the building will be met within 150 feet of the approved fire department access road. An approved turn around for fire department access shall be required for any fire department access road extending over 150 feet in length. For questions related to this comment, please contact the Fire Marshal-Emergency Services.
6. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application. [Sec. 4-8(b)(2), County Code]
7. Landscaping must be provided in accordance with Section 1102 N, Landscaping, County Zoning Ordinance and/as shown on the site plan. The following are the minimum standards for the required landscaping of this site:
 - a. Twelve large shade trees or 23 small ornamental trees within the front yard setback area along NC Hwy 87 and SR 2261 (Alderman Road); and
 - b. Four ornamental trees and 19 shrubs are required in the building yard area.
 - c. Two large shade trees or four small ornamental trees 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.
8. **Driveway Permit Required.** Construction of any new connection or alteration of any existing connection may require an approved Driveway Permit. For additional information contact the NC Department of Transportation's (NCDOT) Division 6/District 2 office.

Change of use of subject properties shall require an approved Driveway Permit. Permits MUST be secured prior to the change or alteration of existing or proposed property use. Failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense. For additional information contact the Division 6/District 2 office.

In the event that a structure (house) is built by a contractor for commercial gain and/or if property changes ownership from existing owner to builder, an approved Driveway Permit must be secured.

Note: In the event the NCDOT driveway permit process alters the site plan in any manner, three copies of a revised site plan (and \$25.00 revision fee) must be submitted for staff review and approved prior to permit application.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

[§ 136-18(29), NCGS]

9. 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 Department of Energy, Minerals and Land Resources, NC Department of Environmental Quality (DEMLR NCDEQ). If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy. (Note: If any retention/detention basins are required for state approval of this plan, three copies of a revised plan (and \$25/\$50 revision fee) must be submitted and approved by Planning & Inspections.) (Sec. 2306.D, County Subdivision Ord. & 2006-246, NC Session Law)
10. The County Health Department must approve water plans. Lots not served by public water system is required to be large enough and of such physical character to comply with the Health Department's minimum standards. A copy of the Health Department approval must be provided to Code Enforcement. (Note: All Health Department requirements must be met prior to issuance of final permits.) (Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)
11. 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. (Sec. 107.B, County Zoning Ord.; & Secs. 2005 & 2007 County Subdivision Ord.)

Site-Related:

12. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance, and County Zoning Ordinance for the C2(P) Planned Service and Retail/CZ Conditional Zoning for retailing or servicing zoning district must be complied with, as applicable.
13. All corner lots and lots fronting more than one street must provide front yard setbacks from each street. (Secs. 1101.G & 1102.B, County Zoning Ord.)
14. This conditional approval is not approval of the permit for any freestanding signs. Attached signage for this development must 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.) (Art. XIII, County Zoning Ord.)
15. "Alderman Road" must be labeled as "SR 2261 (Alderman Road)" on all future plans. (Sec. 2203, County Subdivision Ord.)

16. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2307.A, County Subdivision Ord.)
17. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.)
18. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), 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. (Sec. 1102.O, County Zoning Ord.)
19. Turn lanes may be required by the NC Department of Transportation (NCDOT). [Art. XIV, County Zoning Ord. & NCGS §136-18(5) & §136-93]

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

20. 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.
21. A solid buffer must be provided and maintained along the side and rear property lines where this tract/site abuts RR Rural Residential in accordance with the provisions of Section 1102 G, County Zoning Ordinance (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)

Note: By including a six foot solid fence within the front setback along the northern and western property lines as shown on the site plan, the property owner is requesting the Commissioners vary the ordinance requirement by allowing a solid fence within the front yard setback.

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 are required to be a minimum of 9' x 20'; a minimum of thirty-four off-street parking spaces is required for this development based on the net square footage. (Art. XII, County Zoning Ord.)
24. A minimum of one off-street loading spaces(s) measuring 12' x 25' with 14' overhead clearance must be provided for the retail area. (Art. XII, County Zoning Ord.)
25. The owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing. (Sec. 1403, County Zoning Ord.)

Plat-Related:

26. "Alderman Road" must be labeled as "SR 2261 (Alderman Road)" on the final plat. (Section 2203.C & D, County Subdivision Ord.)
27. All property boundary lines of the parcel to be subdivided must be solid. Both lots must be labeled with lot identifiers and the remaining acreage of the parent tract noted on final plat.
28. Any/All easements must 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.
29. A 10' x 70' sight distance easement is required at the intersection of SR 2261 (Alderman Road) with NC Hwy 87 and must be reflected on the final plat.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

30. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission for final plat approval by Land Use Codes.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

31. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval. (Section 2503 D, Certificate of Ownership and Dedication, County Subdivision and Development Ordinance)
32. 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 Statements:

33. Since this development does not have public water/sewer, the following disclosure statement is required to be provided on the final plat (Section 2504 C, On-Site Water and/or Sewer Disclosure, County Subdivision and Development Ordinance):

“The individual lots in this development do not have public sewer and water services available, and no lots have been approved by the Health Department for on-site sewer services or been deemed acceptable for private wells at the date of this recording.”

34. All structures shall be shown on the final plat or the final plat shall reflect the following statement (Section 2504 D, County Subdivision and Development Ordinance):

“Nonconforming structures have not been created by this subdivision plat.”

Other Relevant Conditions:

35. The applicant is advised to consult an expert on wetlands before proceeding with any development.
36. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
37. 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.
38. The US Postal Service most likely will require this development to have centralized cluster boxes for postal service to each lot or unit. The developer is advised to 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.
39. The subject property lies on the corner of NC 87 and Alderman Road. NC 87 is identified as an existing thoroughfare in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned. Alderman Road is identified as a local road in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned. The subject property will have no impact on the Transportation Improvement Plan. For questions related to this comments, please contact Transportation Planning.
40. The owner/developer be aware that every deed created for a lot being served by an on-site water and/or sewer system must contain the following disclosure when filed with the County Register of Deeds:

“Public water and/or sewer services are not available as of the date of the recording of this deed. On-site sewer disposal systems must be approved by the County Health Department.”

Thank you for choosing Cumberland County for your business location!

If you need clarification of any conditions, please contact Betty Lynd at 910-678-7603 or Hope Page at 910-678-7602 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):

Land Use Codes Manager:	Patti Speicher	678-7605	pspeicher@co.cumberland.nc.us
Subdivision/Site Plan/Plat	Ed Byrne	678-7609	ebyrne@co.cumberland.nc.us
Code Enforcement (Permits):	Scott Walters	321-6654	swalters@co.cumberland.nc.us
County Building Inspections:	Michael Naylor	321-6657	mnaylo@co.cumberland.nc.us
Fire Marshal – Emergency Services	Kevin Lowther	321-6625	klowther@co.cumberland.nc.us
	Gene Booth	678-7641	wbooth@co.cumberland.nc.us
County Engineer’s Office:	Wayne Dudley	678-7636	wdudley@co.cumberland.nc.us
County Health Department:	Fred Thomas	433-3692	fthomas@co.cumberland.nc.us
Ground Water Issues:	Fred Thomas	433-3692	fthomas@co.cumberland.nc.us
County Public Utilities:	Amy Hall	678-7637	ahall@co.cumberland.nc.us
US Postal Service	Jonathan R. Wallace	(704) 393-4412	jonathan.r.wallace@usps.gov
Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	hair@usacr.army.mil
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	leland.cottrell@ncdenr.gov
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	susan_miller@fws.gov
Location Services:			
Site-Specific Address:	Will Phipps	678-7666	wphipps@co.cumberland.nc.us
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	tlbaker@ncdot.gov
Transportation Planning:	Katrina Evans	678 7614	kevans@co.cumberland.nc.us
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	annette.lucas@ncdenr.gov

REQUEST
A1 to R40

ACREAGE: 2.03+/-

PROPERTY OWNER/APPLICANT
GREGORY V. SMITH ON BEHALF OF VANDER BUILT
HOMES OF NC, LLC (OWNER) & TIM EVANS ON
BEHALF OF LONGLEAF PROPERTIES, LLC (AGENT)

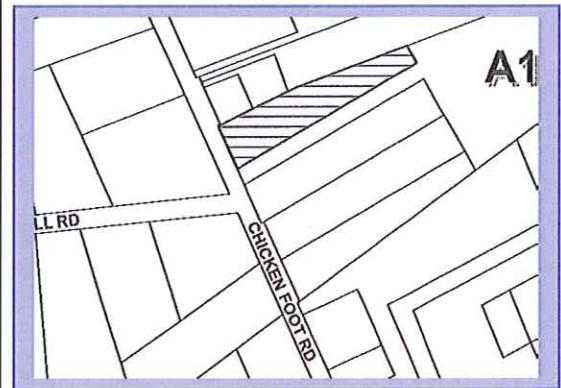
PROPERTY ADDRESS/LOCATION

East side of SR 2252 (Chicken Foot Road),
north of SR 2246 (Joe Hall Road)

Jurisdiction: **County**

PROPERTY INFORMATION

Frontage & Location: 161'+/- on SR 2252 (Chicken Foot Road)
Depth: 715'+/-
Adjacent Property: No
Current Use: Vacant
Initial Zoning: A1 – June 25, 1980 (Area 13)
Nonconformities: None
Zoning Violation(s): None
School Capacity/Enrolled: Gray's Creek Elementary: 500/425; Gray's Creek Middle: 1100/1135; Gray's Creek High: 1470/1442
Special Flood Hazard Area (SFHA): None
Water/Sewer Availability: Well/Septic
Soil Limitations: Yes- Hydric: Ra (Rains sandy loam)
Subdivision/Site Plan: If approved, subdivision or group development review required
Average Daily Traffic County (2016): 6,400 on SR 2252 (Chicken Foot Road)
Highway Plan: Chicken Foot Road is identified as an Existing Thoroughfare in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned; no impact on the Transportation Improvement Plan.



SURROUNDING LAND USE: Residential (including manufactured homes), lodge, vacant school, woodlands

COMPREHENSIVE PLANS:
2030 Growth Vision Plan: Rural Areas
South Central Land Use Plan (2015): Farmland

Notes:

1. **Density**
A1- 1 lot/unit
R40- 2 lots/units
2. **Minimum Yard Setbacks:**

	A1	R40
Front yard:	50'	30'
Side yard:	20'	15'
Rear yard:	50'	35'

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

DENIAL

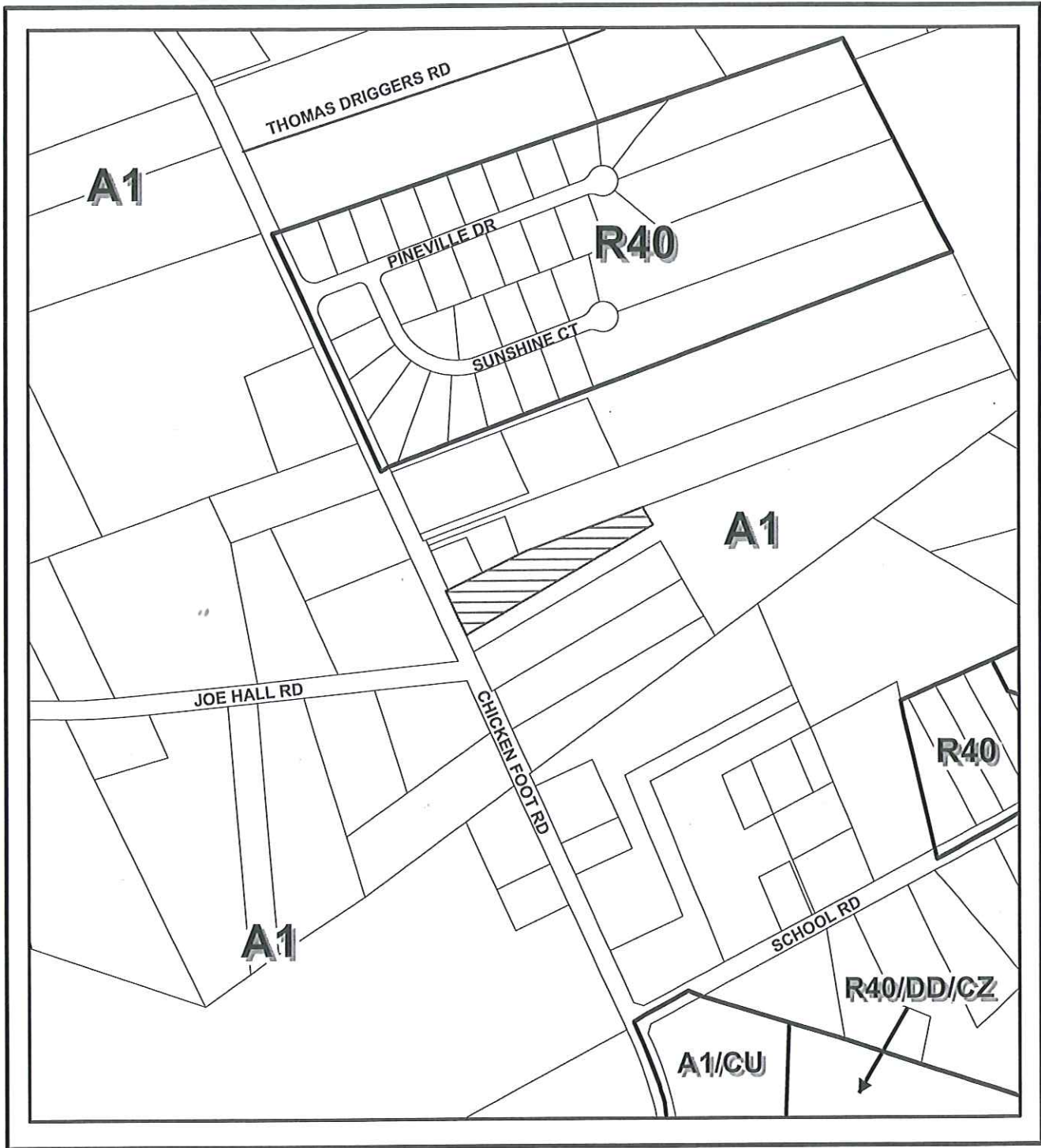
In Case P18-42, the Planning and Inspections Staff recommends approval of the rezoning from A1 Agricultural to R40 Residential and find it is consistent with the adopted South Central Land Use Plan (2015) which calls for "farmland" at this location, the "farmland" designation allows for one unit per acre with suitable soils for septic, and further find that approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding zoning, existing land uses and lot sizes.

OTHER SUITABLE DISTRICTS: None

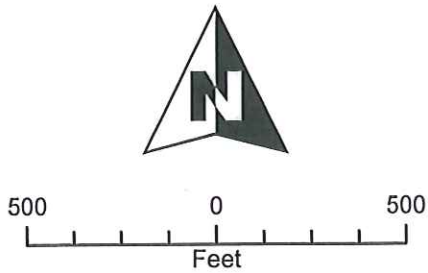
ATTACHMENTS: SKETCH MAP

First Class and Record Owners' Mailed Notice Certification

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



REQUESTED REZONING A1 TO R40



PIN: 0431-15-9027

ACREAGE: 2.03 AC. +/-		HEARING NO: P18-42	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

MB

REQUEST
C(P) & M2 to C3

ACREAGE: **3.02+/-**

PROPERTY OWNER/APPLICANT
TASOS HASAPIS ON BEHALF OF OMEGA ENTERPRISES I, LLC (OWNER)

PROPERTY ADDRESS/LOCATION

West side of N. Fifth Street, north of SR 1602 (Spring Avenue)

Jurisdiction: **Spring Lake**

PROPERTY INFORMATION

Frontage & Location: 250'+/- on N. Fourth Street; 468'+/- on N. Fifth Street
Depth: 393'+/-

Adjacent Property: No

Current Use: Two vacant commercial structures, accessory structure, tower

Town of Spring Lake: Town of Spring Lake has no comments.

Initial Zoning: C(P) & M2 - May 28, 1979 (Spring Lake)

Nonconformities: One vacant commercial structure does not meet required front and side yard setbacks for C(P). Existing tower may not meet required setbacks.

Zoning Violation(s): None

School Capacity/Enrolled: Lillian Black Elementary: 265/231; Spring Lake Middle: 700/506; Pine Forest High: 1750/1589

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Spring Lake/Spring Lake

Soil Limitations: None

Subdivision/Site Plan: If approved, recombination may be required & site plan review through Spring Lake

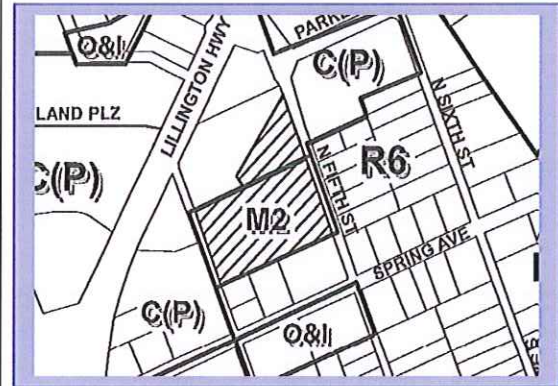
Average Daily Traffic County (2016): 3,600 on SR 1602 (Spring Avenue)

Highway Plan: North Fifth Street is identified as an existing thoroughfare in the 2040 Metropolitan Transportation Plan with no construction or improvements planned; no impact on the Transportation Improvement Plan.

Notes:

1. Minimum Yard Setbacks:

	C(P)	C3	M2
Front yard:	50'	45'	50'
Side yard:	30'	15'	30'
Rear yard:	30'	20'	20'



SURROUNDING LAND USE: Residential [including multi-family dwellings(5)], shopping center (3), pawn shop, dry cleaning & laundry, bank, pharmaceutical sales, general office, religious worship facility (2), vacant commercial structure (2), public school, convenience retail w/ gasoline sales, restaurant (2), hotel, day care facility, retailing or servicing, salon services & indoor recreation

COMPREHENSIVE PLANS:
2030 Growth Vision Plan: Urban
Spring Lake Land Use Plan (2003): Heavy Commercial

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

DENIAL

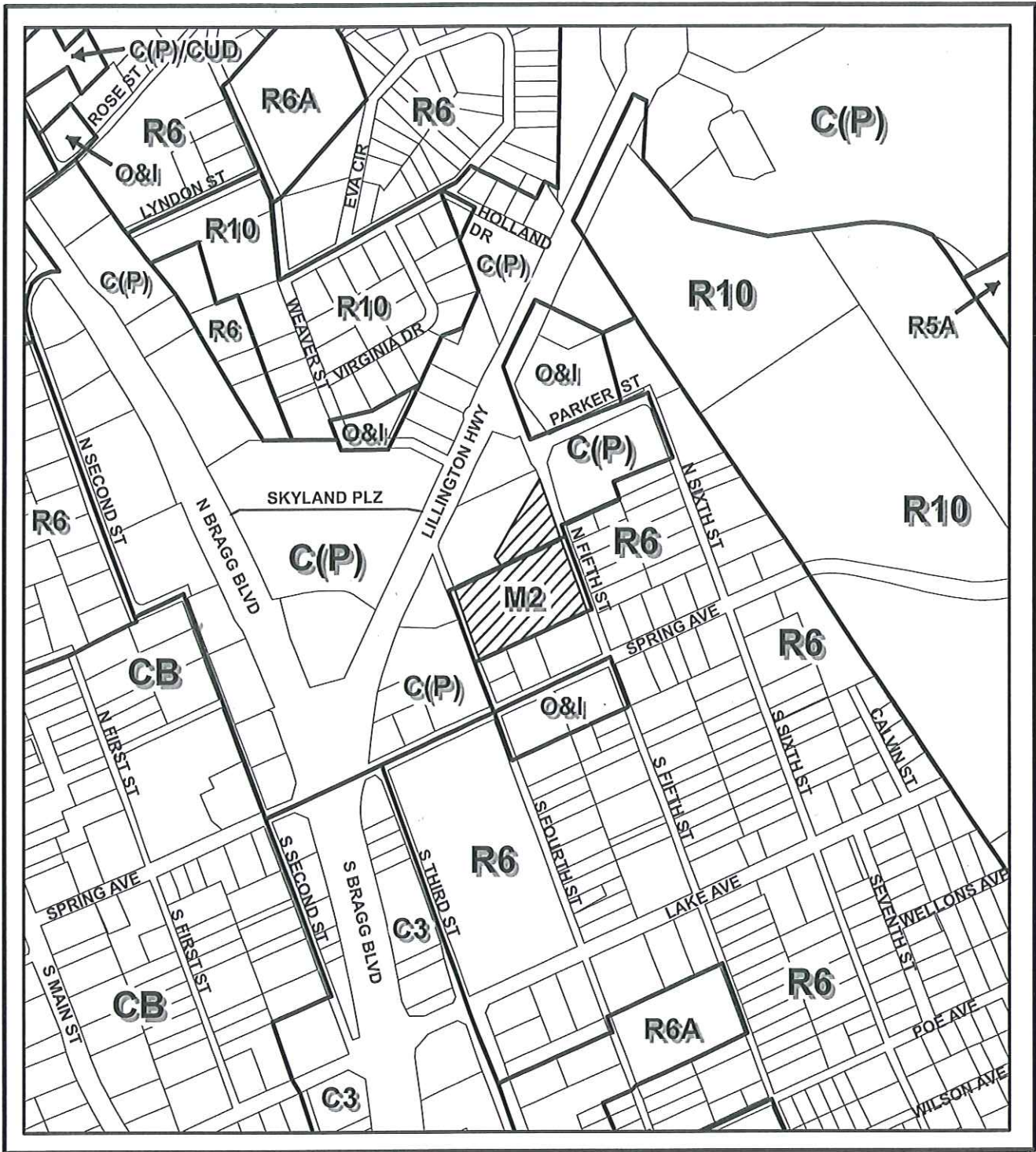
In Case P18-43, the Planning and Inspections Staff recommends denial of the rezoning from C(P) Planned Commercial and M2 Heavy Industrial to C3 Heavy Commercial and approval of the rezoning from C(P) Planned Commercial and M2 Heavy Industrial to C(P) Planned Commercial and find it is consistent with the adopted Spring Lake Land Use Plan (2003) which calls for "heavy commercial at this location and further find that approval of the request is reasonable and in the public interest because the C(P) Planned Commercial district will enable the board to have oversight of the proposed site plans, ensuring the development complies with the minimum town standards and the district is in harmony with surrounding zoning and existing land uses. The property owner has agreed to this staff recommendation.

OTHER SUITABLE DISTRICTS: C(P)

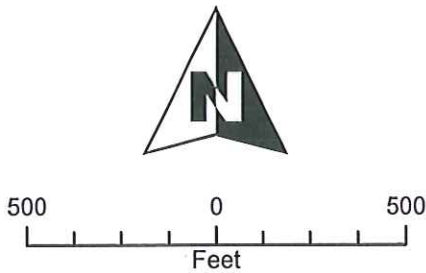
ATTACHMENTS: SKETCH MAP

First Class and Record Owners' Mailed Notice Certification

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



REQUESTED REZONING C(P) & M2 TO C3



PIN: 0501-86-7879, 6662

ACREAGE: 3.02 AC. +/-		HEARING NO: P18-43	
ORDINANCE: SPRING LAKE		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

REQUEST
R6 & C3 to C(P)

ACREAGE: **1.49+/-**

PROPERTY OWNER/APPLICANT
TED HILL ON BEHALF OF HILLSIDE LANDSCAPE SUPPLIES, INC. (OWNER)

PROPERTY ADDRESS/LOCATION
2603 & 2605 Hope Mills Road

Jurisdiction: **Hope Mills**

PROPERTY INFORMATION

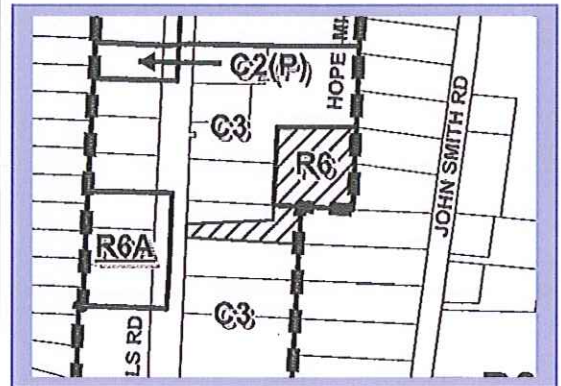
Frontage & Location: 34'+/- on NC 59 (Hope Mills Road)
Depth: 216'+/-
Adjacent Property: No
Current Use: Two single family dwellings
Town of Hope Mills: Town of Hope Mills has no objections.
Initial Zoning: R6A – November 17, 1975 (Area 4); Portion rezoned to C3 (Case P89-52) on June 19, 1989; Portion rezoned to R6 (Case P10-12) on August 16, 2010
Nonconformities: Existing single family dwellings do not meet the minimum front and rear setback requirement.
Zoning Violation(s): None
School Capacity/Enrolled: Cumberland Mills Elementary: 630/616; Douglas Byrd Middle: 702/564; Douglas Byrd High: 1280/1104
Special Flood Hazard Area (SFHA): None
Water/Sewer Availability: PWC/PWC
Soil Limitations: None
Subdivision/Site Plan: If approved, recombination & site plan review required
Average Daily Traffic County (2016): 27,000 on NC 59 (Hope Mills Road)
Highway Plan: Hope Mills Road is identified as a boulevard, needing improvement in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned; no impact on the Transportation Improvement Plan.

Notes:

1. Density
R6- 9 lots/10 units

2. Minimum Yard Setbacks:

	R6	C2(P)	C3	C(P)
Front yard:	25'	50'	50'	50'
Side yard:	10'	30'	30'	30'
Rear yard:	30'	30'	30'	30'



SURROUNDING LAND USE: Residential (including manufactured homes), vacant religious worship facility, motor vehicle repair (2), vacant commercial structure (2), motor vehicle washing, barbering, motor vehicle sales, retailing & servicing (2), restaurant (2), nursery operation, motor vehicle parts & accessories sales

COMPREHENSIVE PLANS:
2030 Growth Vision Plan: Urban
Southwest Cumberland Land Use Plan (2014): Heavy Commercial

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

DENIAL

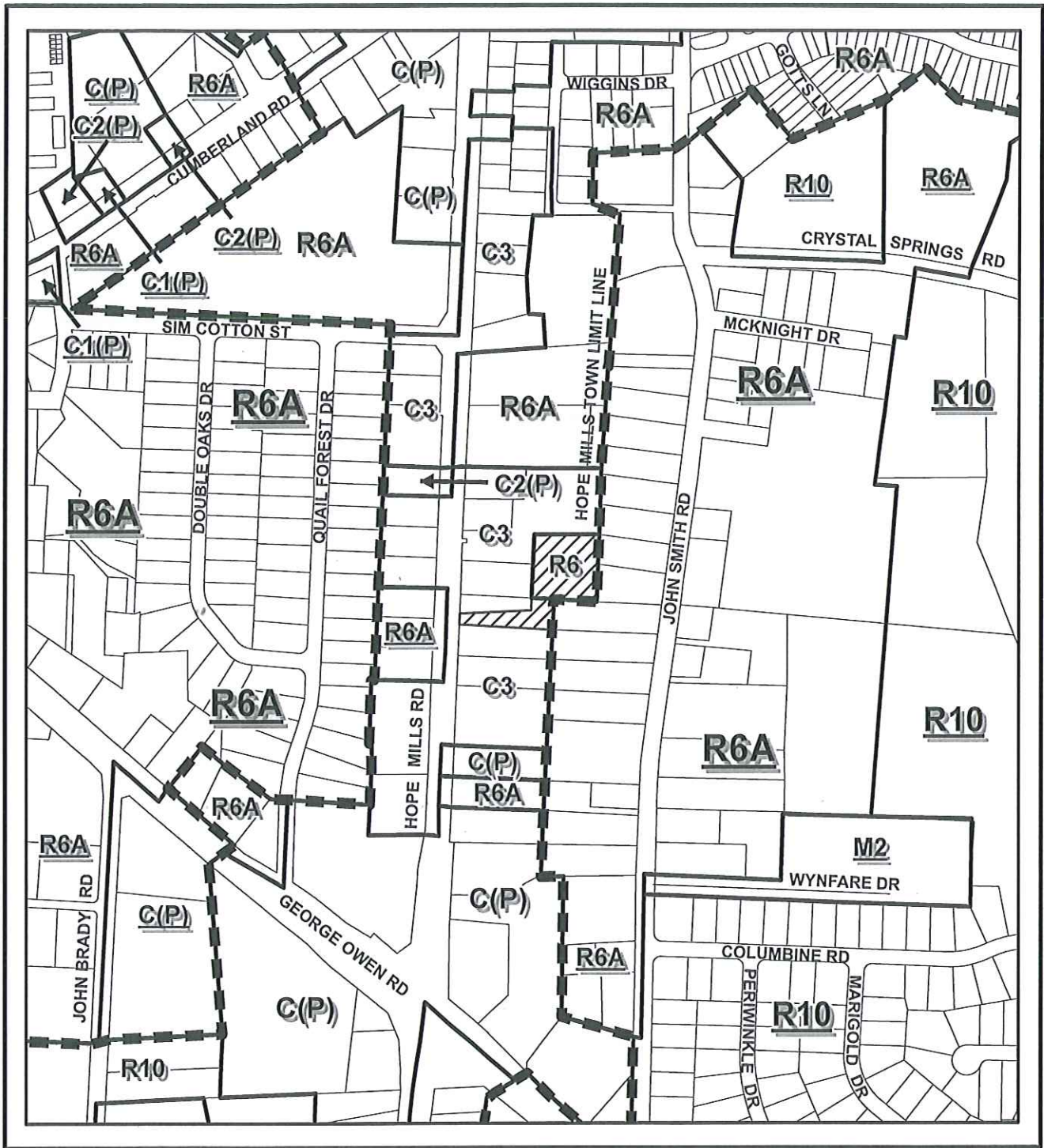
In Case P18-45, the Planning and Inspections Staff recommends approval of the rezoning from R6 Residential & C3 Heavy Commercial to C(P) Planned Commercial and find this recommendation to be consistent with the Southwest Cumberland Land Use Plan (2014) which calls for "heavy commercial" at this location, C(P) Planned Commercial is classified as a "heavy commercial" zoning district and further find approval of the request is reasonable and in the public interest because the district requested is in harmony with the surrounding zoning and existing land uses.

OTHER SUITABLE DISTRICTS: C2(P)

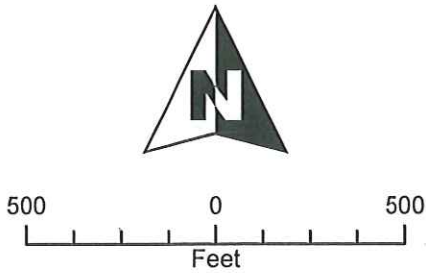
ATTACHMENTS: SKETCH MAP

First Class and Record Owners' Mailed Notice Certification

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



REQUESTED REZONING R6 & C3 TO C(P)



PIN: 0415-04-1745

ACREAGE: 1.49 AC. +/-		HEARING NO: P18-45	
ORDINANCE: HOPE MILLS		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

MB
10/22/18

Charles Morris,
Chair
Town of Linden

Diane Wheatley,
Vice-Chair
Cumberland County

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

Vacant
Wade, Falcon & Godwin



CUMBERLAND
COUNTY
NORTH CAROLINA

Planning & Inspections Department

Joel Strickland,
Acting Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Carl Manning,
Lori Epler,
Cumberland County

Stan Crumpler,
Town of Eastover

Patricia Hall,
Town of Hope Mills

November 13, 2018

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning & Inspections Staff
SUBJECT: Recommendation for the November 20, 2018 Board Meeting

P18-44. REVISION AND AMENDMENT TO THE HOPE MILLS SUBDIVISION ORDINANCE AMENDING ARTICLE IV DEVELOPMENT IMPROVEMENT AND DESIGN STANDARDS, SECTION 86A-403. MINIMUM LOT STANDARDS, SUB-SECTION F. LOTS INTENDED FOR COMMERCIAL AND INDUSTRIAL USES; AND SECTION 86A-405. SIDEWALKS AND WALKWAYS, SUB-SECTION A. SIDEWALKS AND WALKWAYS REQUIRED; AND REVISION AND AMENDMENT TO THE HOPE MILLS ZONING ORDINANCE AMENDING ARTICLE XV PLANNED DISTRICTS, SECTION 102A-1502. DETAILED SITE PLAN SPECIFICATIONS; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (HOPE MILLS)

BACKGROUND: Proposed major changes to Hope Mills Subdivision Ordinance Article IV:

1. Lateral access will be required on all development of commercial and industrial zoned lots to adjacent compatible lots;
2. Sidewalks shall no longer be required for non-residential construction that does not propose renovations or more than 50 % of existing structure or does not propose any new construction while utilizing existing structure on a parcel.

Proposed major changes to Hope Mills Zoning Ordinance Article XV:

1. Lateral access will be required on all development of commercial and industrial zoned lots to adjacent compatible lots.

RECOMMENDATION: In Case P18-44, the Planning & Inspections staff recommends approval of the portion of the text amendment to the Hope Mills Subdivision and Zoning Ordinance concerning lateral access finding it is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, specifically including: *Policy Area 4: A Balanced Transportation System* and *Policy Area 9: Compatible Commercial Development*. The proposed amendment is also generally consistent with the Southwest Cumberland Land Use Plan (2014) in that one of the adopted goals and objectives of the plan strives to decrease travel times and improve the mobility of all residents while accommodating the movement of goods and services without congestion; and further find that approval of the amendment is reasonable and in the public interest because the amendment if approved, would increase shared access among commercial and industrial developments thus decreasing the number of direct access points to roads. The Planning & Inspections staff recommends denial of the text amendment to the Hope Mills Subdivision Ordinance concerning sidewalks and find it is not consistent with the 2030 Growth Vision Plan, specifically including: *Policy Area 2: Well-Managed Growth and Development*; *Policy Area 3: Infrastructure That Keeps Pace*; *Policy Area 4: A Balanced Transportation System*; *Policy Area 6: Expanded Parks and Recreation*; *Policy Area 11: A Healthy, Sustainable Environment*; and *Policy Area 12: Vibrant Downtown Areas*. The proposed amendment is also not consistent with the Southwest Cumberland Land Use Plan (2014) in that one of the adopted goals and objectives of the plan strives to increase pedestrian mobility to schools, parks, and downtown areas and pedestrian safety while providing sidewalks on both sides of thoroughfares and boulevards; and further find that denial of the amendment is reasonable and in the public interest because the provision of sidewalks and walkways within the town encourages citizens to participate in a healthier lifestyle by increasing their walking thus alleviating some traffic on town streets. This amendment was prepared and submitted by the Town of Hope Mills.

This proposed text amendment would not cause any changes to the Southwest Cumberland Land Use Plan map.

Attachment: P18-44 Hope Mills Text Amendment

P18-44
Town of Hope Mills
Subdivision and Zoning Ordinances
(Lateral Access, Sidewalks and Walkways)

P18-44. REVISION AND AMENDMENT TO THE HOPE MILLS SUBDIVISION ORDINANCE AMENDING ARTICLE IV DEVELOPMENT IMPROVEMENT AND DESIGN STANDARDS, SECTION 86A-403. MINIMUM LOT STANDARDS, SUB-SECTION F. LOTS INTENDED FOR COMMERCIAL AND INDUSTRIAL USES; AND SECTION 86A-405. SIDEWALKS AND WALKWAYS, SUB-SECTION A. SIDEWALKS AND WALKWAYS REQUIRED; AND REVISION AND AMENDMENT TO THE HOPE MILLS ZONING ORDINANCE AMENDING ARTICLE XV PLANNED DISTRICTS, SECTION 102A-1502. DETAILED SITE PLAN SPECIFICATIONS; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (HOPE MILLS)

AMEND the Hope Mills Subdivision Ordinance, Article IV Development Improvement and Design Standards, Section 86A-403. Minimum lot standards; Section 86A-405. Sidewalks and walkways; as indicated below:

HOPE MILLS SUBDIVISION ORDINANCE
ARTICLE IV
DEVELOPMENT IMPROVEMENT AND DESIGN STANDARDS

Sec. 86A-403. Minimum lot standards.

(f) *Lots intended for commercial and industrial uses.* Commercial and industrial lots may be arranged in convenient units of width and to a depth that is appropriate to the development contemplated, provided that the minimum requirements for lots, blocks and zoning are met. Lateral access shall be provided or reserved for future interconnectivity, and designed and constructed to the same standards of improvements as required by Section 86A-404 on lots intended for commercial and industrial uses. ~~The lateral access minimum right-of-way width shall be 40 feet, the same as marginal access streets.~~ All development of commercial and industrial zoned lots within the Town of Hope Mills limits must be designed to facilitate and allow for lateral cross access to adjacent similarly zoned, compatible, or developed parcels of land in accordance with the following design and construction standards:

(1) Design: Lateral access shall be located and designed in compliance with the standards of this section, however no development shall be required to provide lateral access to more than two (2) adjacent parcels.

(2) Width: Any lateral access required must provide for two way traffic through a single driveway at a minimum width of 40 feet or a double driveway with each aisle set at a minimum width of 20 feet each.

(3) Future Development: Lateral Cross access connections to any adjacent undeveloped or vacant land zoned under commercial or industrial zoning must be provided in at least one location.

(4) Standards and Specifications: Any new lateral cross access must comply with the established Standards and Specifications Manual for the Town of Hope Mills.

Sec. 86A-405. Sidewalks and walkways.

(a) *Sidewalks and walkways required.*

(1) Except as described herein, sidewalks shall be installed along public and private right(s)-of-way within and adjacent to any development located in the town’s jurisdiction, and shall be constructed in accordance with the town’s sidewalk specifications and construction standards, and good engineering practices. Sidewalks shall be located according to the following:

b. For all non-residential development with no new streets proposed, sidewalks are required along internal drives and along the existing street(s) adjacent to the subject property. Where new streets are proposed in conjunction with any non-residential development, sidewalks are required along all proposed street(s) and internal drives, and along the existing street(s) adjacent to the subject property. For non-residential development, sidewalks shall be provided along the building side of the off-street parking area in addition to other sidewalk requirements of this ordinance. Sidewalks shall not be required for non-residential construction under the following circumstances:

1. Development that does not propose renovations more than 50% of existing building.
2. Development that does not propose any new construction while utilizing an existing structure.

AMEND the Hope Mills Zoning Ordinance, Article XV Planned Districts, Section 102A-1502. Detailed site plan specifications, as indicated below:

**HOPE MILLS ZONING ORDINANCE
ARTICLE XV
PLANNED DISTRICTS**

Sec. 102A-1502. Detailed site plan specifications.

In any planned district, permits shall not be issued by the Town Planner except in conformance with a detailed plan submitted to the County Planning Staff, reviewed by the town and county planning staffs, and approved by the Board of Commissioners or where applicable, the Board of Adjustment. Plans submitted for approval shall be in the number as required by the County Planning Director, drawn to

an engineering scale of not less than one inch equaling 200 feet, and shall show all information necessary for proper evaluation of the plan, including:

(b) The parking and general circulation plan, including entrances, exits, pedestrian ways, and lateral access to adjoining commercial or industrial properties where practical. All development of commercial and industrial zoned lots within the Town of Hope Mills limits must be designed to facilitate and allow for lateral cross access to adjacent similarly zoned, compatible, or developed parcels of land in accordance with the following design and construction standards.

(1) Design: Lateral access shall be located and designed in compliance with the standards of this section, however no development shall be required to provide lateral access to more than two (2) adjacent parcels.

(2) Width: Any lateral access required must provide for two way traffic through a single driveway at a minimum width of 40 feet or a double driveway with each aisle set at a minimum width of 20 feet each.

(3) Future Development: Lateral Cross access connections to any adjacent undeveloped or vacant land zoned under commercial or industrial zoning must be provided in at least one location.

(4) Standards and Specifications: Any new lateral cross access must comply with the established Standards and Specifications Manual for the Town of Hope Mills.

REQUEST
R10 & CD to R6A

ACREAGE: **3.00+/-**

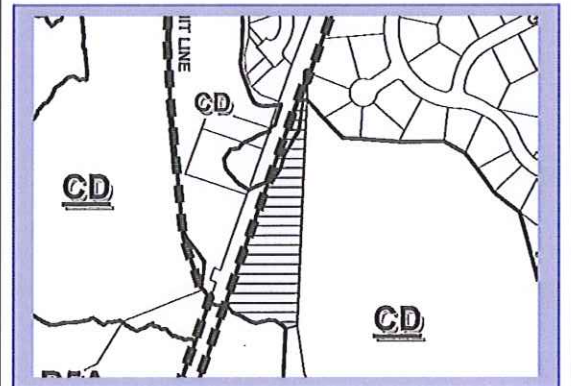
PROPERTY OWNER/APPLICANT
WAREES & ASUMPTER WAREES (OWNERS)

PROPERTY ADDRESS/LOCATION
5187 & 5175 Lakewood Drive

Jurisdiction: **County**

PROPERTY INFORMATION

Frontage & Location: 896'+/- on SR 1108 (Lakewood Drive)
 Depth: 70'+/-
 Adjacent Property: No
 Current Use: Two single family dwellings (one manufactured home)
 Municipal Influence Area: Fayetteville
 Initial Zoning: R10 & CD – February 6, 1976 (Area 5)
 Nonconformities: Both existing dwellings do not meet minimum required front yard setbacks. Existing manufactured home does not meet minimum required rear yard setback.
 Zoning Violation(s): None
 School Capacity/Enrolled: Comments requested, none received
 Special Flood Hazard Area (SFHA): Yes
 Water/Sewer Availability: PWC/PWC
 Soil Limitations: Yes- Hydric: JT (Johnston loam)
 Subdivision/Site Plan: If approved, group development required
 Average Daily Traffic County (2016): 11,000 on SR 1108 (Lakewood Drive)
 Highway Plan: Lakewood Drive is identified as an existing thoroughfare in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned; no impact on the Transportation Improvement Plan.



Notes:

- Density**
 R10- 17 lots/units
 R6A- 31 lots/units
 MHP- 24 units

2. Minimum Yard Setbacks:

	CD	R6A	R6	R10 (R7.5)
Front yard:	50'	25'	25'	30'
Side yard:	50'	10'	10'	10'
Rear yard:	50'	15'	30'	35'

SURROUNDING LAND USE: Residential, woodland

COMPREHENSIVE PLANS:
2030 Growth Vision Plan: Urban & Conservation Area
Southwest Cumberland Land Use Plan (2013): Low Density Residential & Open Space

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

DENIAL

In Case P18-46, the Planning and Inspections Staff recommends denial of the rezoning from R10 Residential & CD Conservancy District to R6A Residential and approval of the rezoning from R10 Residential & CD Conservancy District to R6 Residential except for that portion located within the Special Flood Hazard Area and Floodway to be zoned CD Conservancy District and find:

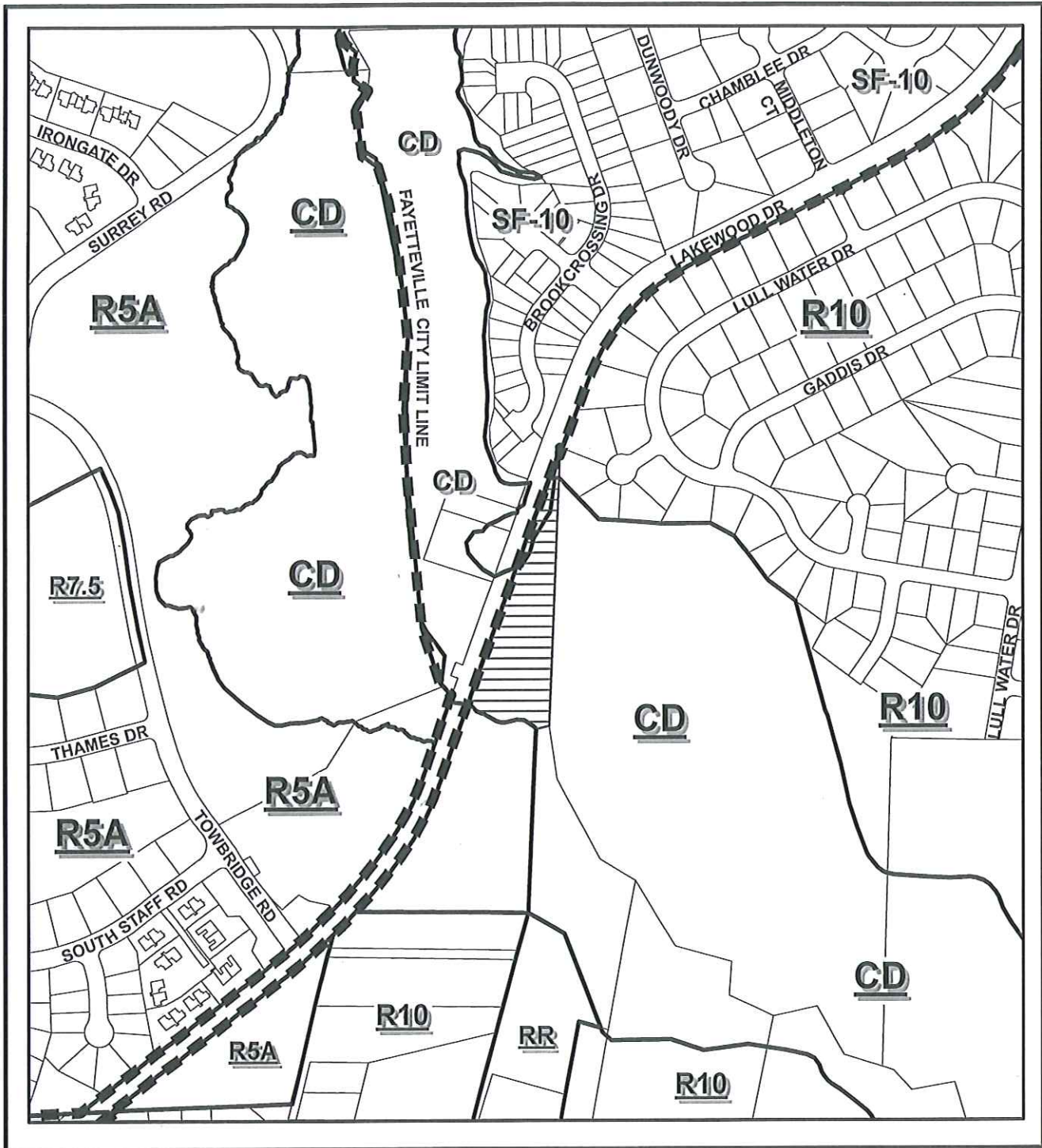
- The approval is an amendment to the adopted current Southwest Cumberland Land Use Plan (2013) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request;
- The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the subject property meets the location criteria for "medium density residential" as defined in the Land Use Policies Plan (2009);
- And, this rezoning approval is reasonable and in the public interest because the district recommended is in harmony with the surrounding existing land uses and zoning while preserving existing conditions within the Conservancy district.

OTHER SUITABLE DISTRICTS: None

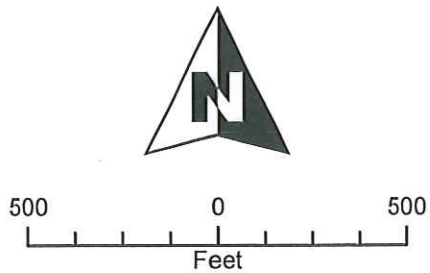
ATTACHMENTS: SKETCH MAP

First Class and Record Owners' Mailed Notice Certification

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



REQUESTED REZONING R10 & CD TO R6A



PIN: 9495-92-2101

ACREAGE: 3.00 AC. +/-		HEARING NO: P18-46	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

MB