

Clifton McNeill, Jr., Chair
Cumberland County

Charles C. Morris, Vice-Chair
Town of Linden
David Averette,
John M. Gillis, Jr.
Dr. Marion Gillis-Olson
Cumberland County



Nancy Roy, AICP, Director
Thomas J. Lloyd
Deputy Director

Joe W. Mullinax,
Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Frank Underwood,
Town of Stedman

COUNTY of CUMBERLAND

Joint Planning Board

TENTATIVE AGENDA
April 20, 2004

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRALS
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. CONSENT ITEMS
 - A. APPROVAL OF THE MINUTES OF APRIL 6, 2004

REZONING CASES

- A. P04-25: REZONING OF .94 ACRES FROM R6A AND R10 TO C1, OR A MORE RESTRICTIVE ZONING DISTRICT, ON THE SOUTH SIDE OF CUMBERLAND ROAD, ACROSS FROM AKE STREET, OWNED BY ALICE V. HALL NAYLOR AND EDWARD M. ESPINOSA.
 - B. P04-26: INITIAL ZONING OF 269.18 ACRES, MORE OR LESS, TO CD AND RR OR A MORE RESTRICTIVE ZONING DISTRICT ON THE SOUTHWEST SIDE OF CUMBERLAND COUNTY.
 - C. P04-27: REZONING OF A .40-ACRE PORTION OF A .76-ACRE TRACT FROM R6A TO C3, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 2978 CUMBERLAND ROAD, SUBMITTED BY DAVID C. MATTHEWS, JR.
 - D. P04-28: REZONING OF 53 ACRES FROM A1 AND R40A TO R15, OR A MORE RESTRICTIVE ZONING DISTRICT, ON THE EAST SIDE OF RAMSEY STREET, ACROSS FROM COATS ROAD, OWNED BY DAVID RAYNOR AND TERRY BILL.
 - E. P04-29: REZONING OF 17.43 ACRES FROM RR TO R10 OR A MORE RESTRICTIVE ZONING DISTRICT ON THE SOUTH SIDE OF CAMDEN ROAD, WEST OF WALDOS BEACH ROAD, SUBMITTED BY K. DOUGLAS BARFIELD.
 - F. P04-30: REZONING OF .82 ACRES FROM R10 TO C3, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 4244 CUMBERLAND ROAD, SUBMITTED BY JIM MOHLER.
- VII. PUBLIC HEARING ITEM
 - A. P04-31: CONDITIONAL USE OVERLAY DISTRICT AND PERMIT TO ALLOW A CARPET CLEANING OFFICE IN AN R6A DISTRICT ON .46 ACRES AT 1444 BINGHAM DRIVE, SUBMITTED BY AMI CROUTER.

VIII. PLATS AND PLANS

- A. 98-351: TAYLORS CREEK MOBILE HOME PARK PLAN REVIEW ON THE WEST SIDE OF US HWY 301, SOUTH OF BLACK AND DECKER ROAD FOR A VARIANCE FROM SECTION 3.25.C, "REQUIREMENTS FOR MOBILE HOME PARKS," CUMBERLAND COUNTY SUBDIVISION ORDINANCE

IX. DISCUSSION

- A. UPDATE FROM LAND USE CODES COMMITTEE—JOHN GILLIS

X. FOR YOUR INFORMATION

- A. DIRECTOR'S UPDATE

XI. ADJOURNMENT

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John M. Gillis, Jr.
Dr. Marion Gillis-Olion
Cumberland County



COUNTY of CUMBERLAND

Joint Planning Board

MINUTES

April 6, 2004

Nancy Roy, AICP, Director
Thomas J. Lloyd
Deputy Director

Joe W. Mullinax,
Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Frank Underwood,
Town of Stedman

Members Present

Mr. Clifton McNeill, Chair
Mr. Charles Morris, Vice-Chair
Mr. David Averette
Mr. John Gillis
Mr. Donovan McLaurin
Mr. Joe Mullinax
Mr. Frank Underwood

Members Absent

Dr. Marion Gillis-Olion

Others Present

Ms. Nancy Roy, Director
Mr. Thomas J. Lloyd
Ms. Barbara Swilley

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Underwood delivered the invocation, and Chair McNeill led those present in the Pledge of Allegiance.

II. APPROVAL OF/ADJUSTMENTS TO AGENDA

A motion was made by Mr. Gillis and seconded by Mr. McLaurin to approve the Agenda as submitted. The motion passed unanimously.

III. CONSENT ITEMS

A. APPROVAL OF THE MINUTES OF MARCH 16, 2004

A motion was made by Mr. Gillis and seconded by Mr. McLaurin to approve the Minutes of March 16, 2004 as written. The motion passed unanimously.

B. 04-033: JEFFERSON VILLAGE ZERO LOT LINE SUBDIVISION REVIEW ON THE SOUTH SIDE OF FISHER ROAD, SOUTHEAST OF LAKEWAY DRIVE, FOR A VARIANCE FROM SECTION 3.17.C "STREET DESIGN", CUMBERLAND COUNTY SUBDIVISION ORDINANCE.

A motion was made by Mr. Averette and seconded by Mr. McLaurin to follow the staff recommendation and approve the variance. The motion passed unanimously.

IV. DISCUSSION

A. QUESTIONNAIRE RESULTS

Ms. Roy handed out and reviewed the compilation of results on the questionnaires that were returned from seven of the eight Planning Board members. (See attached.)

Chair McNeill suggested rearranging some of the questions to put all related questions together.

Mr. McLaurin asked about the school system's role in planning. He said that planning and development should not depend on whether there is school capacity in the area. He further objected to considering school capacity when approving development proposals. Ms. Roy said that the process would run smoothly if the School Board tracked actions of the Planning Board to assist in their planning.

Chair McNeill said that the schools spend money on building design and site development and then need huts when schools open.

Mr. Lloyd said that citizens opposing development express concerns about school capacity, and if they are concerned, they should be willing to support a bond referendum.

Ms. Roy was asked to separate question 11 to consider school capacity, open space and rural preservation/prime farmland or include it as a rated question. She was then asked to distribute the questionnaires to the Commissioners and other elected officials without the results of the Board.

Chair McNeill said that the questionnaire could be used as a tool to assist the Planning Board—not necessarily for information to be distributed to everyone.

Mr. McLaurin asked that question 12 also be separated into two questions concerning PWC and the School Board.

Mr. Mullinax said that the Planning Board has attempted to have a member of the School Board attend Planning Board meetings, and they have not done so.

Chair McNeill asked if any comments from the School Board would be included in the staff review. Ms. Roy said that they would not. Mr. Gillis said that the School Board seems to get involved only when a development interferes with the purchase of land for a school. Ms. Roy said that the City of Fayetteville wants the School Board and PWC involved in their planning efforts. Chair McNeill said he wouldn't object to their being involved in the planning effort, but not zoning. Mr. Lloyd said that higher densities actually help PWC and the City for future annexations.

Mr. Averette said that input from the School Board, PWC and any other providers should be given to staff. Mr. Lloyd explained that staff sends out sheets requesting input on all cases, and normally no one responds. He said that the sheets are collected, placed in the files and are available at Planning Board meetings in case the members have questions. Mr. Averette said that the Board should not depend on statements from the public regarding overcrowded schools, but should refer to the sheets returned from the School Board that are in the files.

Mr. Averette said that PWC is a public body, not a regulatory agency. He said if their input is requested, then the input from all providers—telephone and cable service and other utility providers—should also be requested. Chair McNeill said that PWC is different in that they provide water and sewer, not telephone or cable.

Mr. Gillis said that PWC should provide input, but not drive the Comprehensive Plan, and there are other providers to consider. He said that the Ordinance and Building Codes dictate service providing, and safeguards are built in for water and sewer (or septic). He said that the Board doesn't formally set criteria. He added that service requirements can control development to a certain extent. Ms. Roy said to clarify; PWC and the School Board comments on development proposals should go to staff.

Mr. Lloyd reminded the Board that the questionnaire was created to aid with the revision of the Zoning Ordinance. He said that contents of the Subdivision Ordinance and Comprehensive Plan are different matters.

There was a discussion regarding requiring landscaping of existing nonresidential uses on major highway corridors. Ms. Roy said that most of the members found this to be a reasonable requirement.

Chair McNeill said if the questionnaire was sent to the municipalities, their responses should be kept separate. Mr. McLaurin said that they shouldn't be sent.

Vice-Chair Morris said that the questionnaire is a helpful tool. Ms. Roy said that the questionnaires could be sent to the Towns to see if their ideas and concerns were essentially the same as those expressed by the Planning Board. Ms. Roy said that the questionnaires would be simplified and made more straightforward before they are sent. Mr. Underwood said he'd like to see if staff and the Board are in agreement. Vice-Chair Morris said that the questionnaire will give direction from the Board to staff that Mr. Averette pointed out a couple of weeks ago was missing.

B. SUBCOMMITTEE TO CONSIDER MUNICIPAL INFLUENCE AREAS

Chair McNeill explained to members that did not attend the Joint City/County Planning meeting last week that the City is again asking that Municipal Influence Areas (MIAs) again be established in the County. He asked if the members were willing to continue dialogue regarding MIAs.

Mr. Mullinax asked who approves MIAs, and he was told that the Commissioners do.

Chair McNeill said that MIAs should be limited to areas to be annexed within a short period of time. Mr. Gillis said that implementation issues would have to be worked out. Mr. Morris said that it is smart and cost effective to allow MIA standards. He said that the Commissioners would have the authority to determine what standards would be followed.

Mr. Mullinax asked to whom the people within the MIA would go if they had problems. He was told that they would go to the Joint Planning Board. Mr. Mullinax said that the City would be in charge of the MIA. Mr. Gillis said that the County inspectors would have to enforce the standards. Mr. Mullinax expressed concern that the citizens would have no recourse if they had problems with the

standards. Mr. Morris said that the standards in the MIAs would more likely concern developers than the individual citizens.

A motion was made by Mr. Gillis and seconded by Mr. Mullinax to establish dialogue with the City in the form of a subcommittee to review and make recommendations regarding Municipal Influence Areas in the County. The motion passed unanimously.

Chair McNeill appointed Messrs Averette and Gillis to serve on the subcommittee and asked Ms. Roy to inform the City.

C. JOINT PLANNING BOARD

Chair McNeill said that this issue was also discussed at the Joint City/County Planning meeting. He said that the City/County Liaison has asked staff to move in a direction to forming a joint planning board. He added that zoning boards for the County, City and Hope Mills would be separate. Ms. Roy submitted a proposal and time line (see attached) to the City/County Liaison.

Chair McNeill added that at the joint meeting, there was significant reservation expressed by the Chair of the City Planning Commission about forming a joint board. Chair McNeill expressed concern that the Commissioners seem to be in favor of a joint board but have not spoken with the members of the Planning Board about the matter. Ms. Roy suggested that a meeting be set up with the Commissioners and the Planning Board. After a discussion, Chair McNeill said he could contact the Commissioners individually, and the members agreed that would be the best way to approach the issue.

D. COMPREHENSIVE PLANNING

There was a lengthy discussion regarding how comprehensive planning could be performed. It was noted that the City and Hope Mills don't have planners experienced in this area and would have to hire consultants to assist in the preparation of their areas. Ms. Roy suggested possibly a steering committee could be formed expressly for the creation of the comprehensive plan and then dissolved once the plan was completed. Mr. Averette asked if the work could be accomplished by a steering committee, and Ms. Roy said that staff would have to be added.

Mr. Gillis suggested that a dialogue be opened with the City and Hope Mills to get down to specifics. He said that the Planning Directors could formulate a strategy on whether consultants should be hired, etc.

E. LETTER FROM ENGINEERS

Mr. Averette said that the letters regarding a meeting with engineers concerned about planning (see attached) were contained in the packets. He said that the engineers plan to meet with the City officials and discuss development standards. He suggested that the Planning Board also meet with the engineers.

F. MEMO REGARDING NOMINATIONS COMMITTEE

There was discussion regarding a memo from the County Attorney cautioning the members of the Nominations Committee to hold open meetings. It was determined that the meetings are advertised and public allowed.

V. FOR YOUR INFORMATION

A. DIRECTOR'S UPDATE

Ms. Roy reported that the Fort Bragg Joint Land Use Study was not adopted by the Commissioners, and a small area plan was suggested. The Comprehensive Planning staff is working on the plan and will present a preliminary plan at the Planning Board's May 4th meeting.

Ms. Roy said that the Commissioners are considering a program that would involve the purchase of open space. The County Attorney is working on proposed agreements.

VI. ADJOURNMENT

There being no further business, the meeting adjourned at 9:25 p.m.



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Frank Underwood,
Town of Stedman

April 14, 2004

MEMO TO: PLANNING BOARD

FROM: PLANNING STAFF

SUBJECT: STAFF RECOMMENDATIONS
FOR APRIL 20, 2004 MEETING

P04-25: REZONING OF .94 ACRES FROM R6A AND R10 TO C1, OR A MORE RESTRICTIVE ZONING DISTRICT, ON THE SOUTH SIDE OF CUMBERLAND ROAD, ACROSS FROM AKE STREET, OWNED BY ALICE V. HALL NAYLOR AND EDWARD M. ESPINOSA.

The Planning staff recommends approval of the C1 Local Business District based on the following:

1. The 2010 Land Use Plan calls for light commercial and low-density residential use at this location; and
2. The subject property is adjacent to C1 zoning.

The Planning staff finds that the subject property is also suitable for the O&I Office and Institutional District.

SITE PROFILE
P04-25

REZONING OF .94 ACRES FROM R6A AND R10 TO C1 OR TO A MORE RESTRICTIVE ZONING DISTRICT, ON THE SOUTH SIDE OF CUMBERLAND ROAD, ACROSS FROM AKE STREET, OWNED BY ALICE V. HALL NAYLOR AND EDWARD M. ESPINOSA.

Site Information:

Applicant/Owner: ALICE V. HALL NAYLOR AND EDWARD M. ESPINOSA

Area: .94 acres

Frontage & Location: 228 feet on Cumberland Road

Depth: 137 feet

Jurisdiction: County

Adjacent Property: Yes

Current Use: Vacant

Initial Zoning: November 17, 1975 (Area 4)

Previous Zoning Action(s): None

Surrounding Zoning: North-R10, R6A, C1, City limit, East-RR, R10, R6A, C3, South-R10, R6A and West-R10, R6A, C(P), C1, C1/CUO, C3

Surrounding Land Use: Club, motor company, no name commercial, vacant commercial, barber shop, motorcycle shop and heating/air conditioning business

2010 Land Use Plan: Light Commercial and Low Density Residential

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: None

Within Area Considered for Annexation: No

Street Designation: Cumberland Road Study calls for Light Commercial west of Telford Road and Low Density Residential east of Telford Road.

Proposed Interchange or Activity Node: No

Urban Services Area: Yes

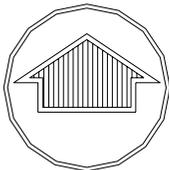
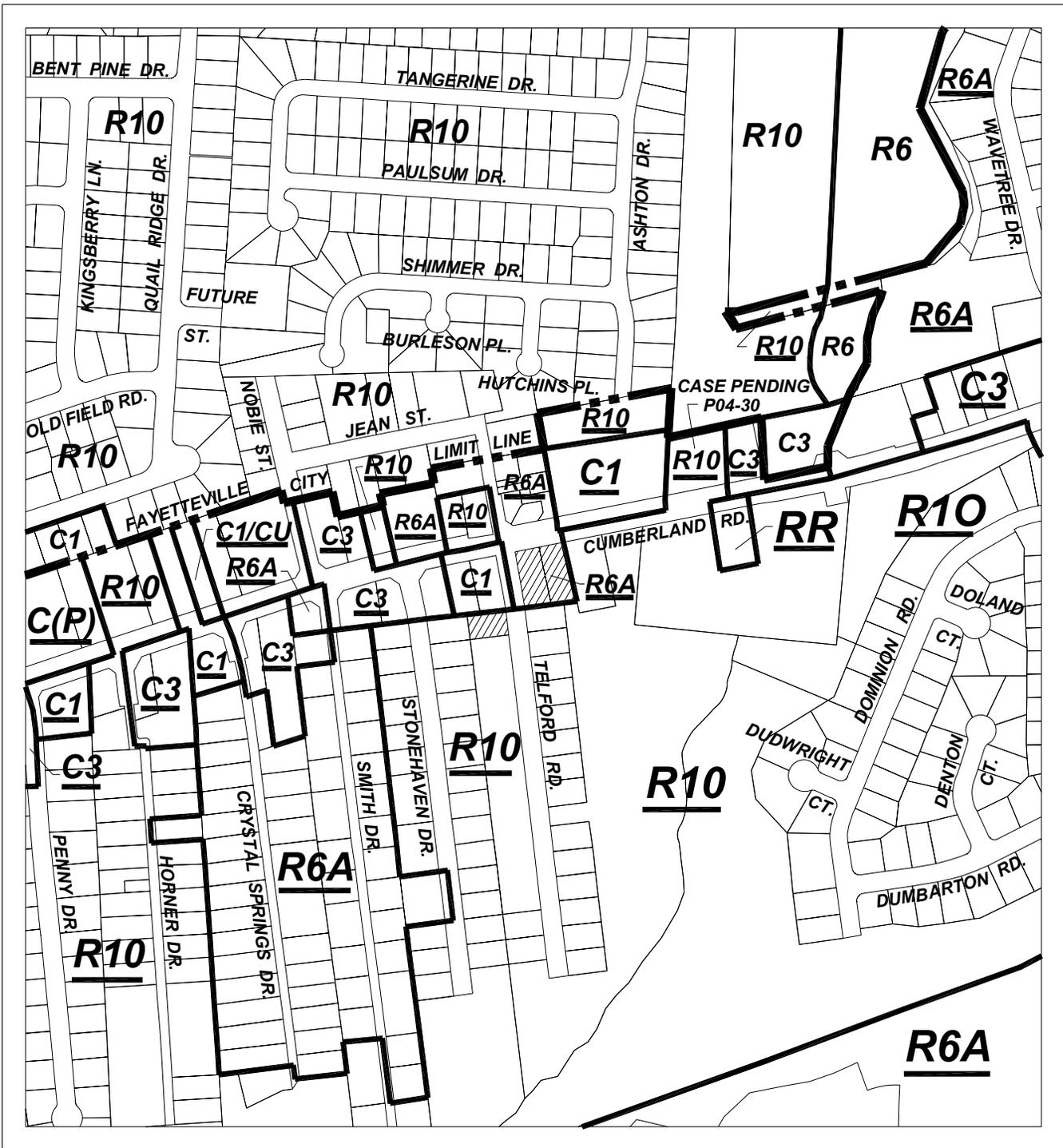
Water/Sewer Availability: PWC / PWC

Schools: Sherwood Park Elementary, Ireland Drive Middle, Douglas Byrd Middle and High

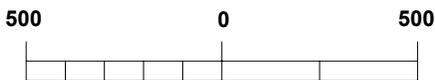
Thoroughfare Plan: Cumberland Rd is identified as a Major Thoroughfare. It has a current 110-foot right-of-way. Road improvements (between Hope Mills Road and Ireland Drive) are included in the 04-10 MTIP.

Average Daily Traffic Count (2000): 20,000 on Cumberland Road

Notes:



NORTH



SCALE IN FEET

REQUESTED REZONING: R6A & R10 TO C1

ACREAGE: 0.94 AC.±

HEARING NO: P04-25

ORDINANCE: COUNTY

HEARING DATE

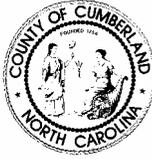
ACTION

PLANNING BOARD

GOVERNING BOARD

PIN: 0415-38-8454
 PIN: 0415-38-9436
 PORT. OF PIN: 0415-38-7307

AF



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April 14, 2004

MEMO TO: PLANNING BOARD

FROM: PLANNING STAFF

SUBJECT: STAFF RECOMMENDATIONS
FOR APRIL 20, 2004 MEETING

P04-26: INITIAL ZONING OF 269.18 ACRES, MORE OR LESS, TO CD AND RR OR A MORE RESTRICTIVE ZONING DISTRICT ON THE SOUTHWEST SIDE OF CUMBERLAND COUNTY.

The Planning staff recommends approval of the CD Conservancy and RR Rural Residential Districts based on the following:

1. The zoning recommended is consistent with the current land use on the property and zoning in the area.

SITE PROFILE
P04-26

INITIAL ZONING OF 269.18 ACRES, MORE OR LESS, TO CD AND RR OR TO A MORE RESTRICTIVE ZONING DISTRICT, ON THE SOUTHWEST SIDE OF CUMBERLAND COUNTY.

Site Information:

Applicant/Owner: Cumberland County

Area: 269.18 acres

Jurisdiction: County

Current Use: Mixed

Previous Zoning Action(s): None

Surrounding Zoning: Primarily CD and RR

2010 Land Use Plan: Open space, low density residential and an activity node

Designated 100-Year Floodplain or Floodway: 126 feet BFE

Watershed Area: No

Municipal Influence Area: None

Within Area Considered for Annexation: No

Street Designation: None

Proposed Interchange or Activity Node: Yes – at Parkton Road

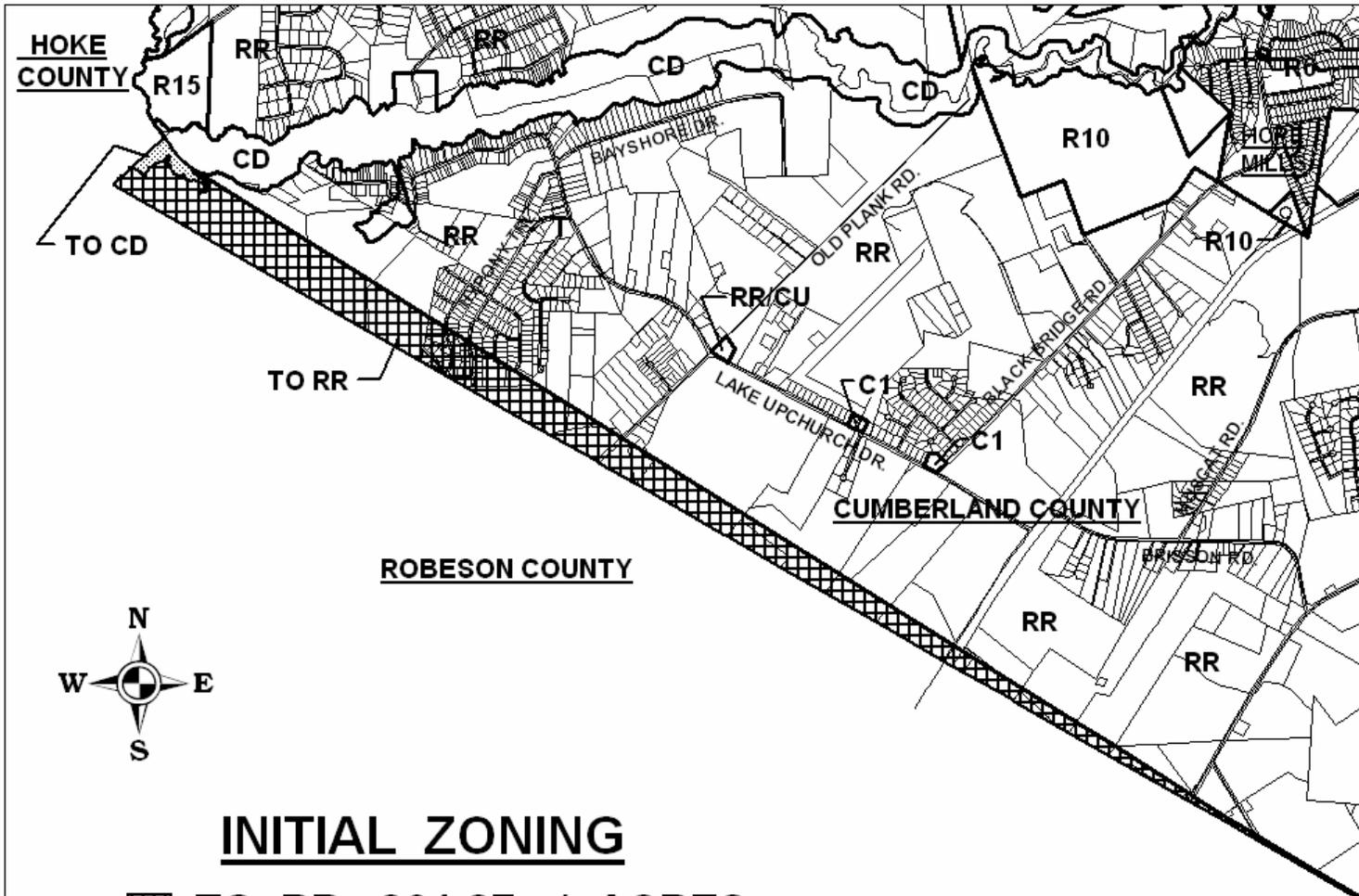
Urban Services Area: Yes

Water/Sewer Availability: Well / Septic

Schools: From CD line, South to Brisson Road: Rockfish Elementary, Hope Mills Middle, South View High and from Brisson Road, South to US Hwy 301: Gallberry Farms Elementary, South View Middle, Gray's Creek High

Thoroughfare Plan: Brisson Rd is identified as a Major Thoroughfare. It has a current 90-foot right-of-way, 90 feet proposed. Road improvements are not included in the 04-10 MTIP. Fayetteville Outer Loop is identified as a Major Thoroughfare. This portion of the Road Project is located between Camden and Parkton Roads. It is currently not funded and has an adequate 228-foot right-of-way. Road improvements are included in the 04-10 MTIP. ROW Acquisition-Post Year, Construction-Post Year.

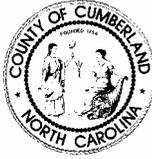
Notes:



INITIAL ZONING

- TO RR 261.27 +/- ACRES
- TO CD 7.91 +/- ACRES

CASE NO: P04-26		
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOV. BOARD		



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April 14, 2004

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P04-27: REZONING OF A .40-ACRE PORTION OF A .76-ACRE TRACT FROM R6A TO C3, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 2978 CUMBERLAND ROAD, SUBMITTED BY DAVID C. MATTHEWS, JR.

The Planning staff recommends approval of the C3 Heavy Commercial District based on the following:

1. The 2010 Land Use Plan calls for heavy commercial use at this location; and
2. The subject property is adjacent to C3 zoning.

The Planning staff finds that the subject property is also suitable for the C1 Local Business District.

SITE PROFILE

P04-27

REZONING OF A .40 ACRE PORTION OF A .76 ACRE TRACT FROM R6A TO C3 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 2978 CUMBERLAND ROAD, SUBMITTED BY DAVID C. MATTHEWS, JR.

Site Information:

Applicant/Owner: DAVID C., JR. AND CINDY M. MATTHEWS

Area: .76 acres

Frontage & Location: 90 feet on Cumberland Road

Depth: 492 feet

Jurisdiction: County

Adjacent Property: Yes

Current Use: Commercial

Initial Zoning: August 1, 1975 (Area 3)

Previous Zoning Action(s): None

Surrounding Zoning: North-R6A, R6A/CUO, city limit, East-R6A, C1, C3, South-R10, R6, R6A, C1, C3, M(P), M1, M2 and West-R6, R6A, M1

Surrounding Land Use: Power plant, insurance company, vacant commercial, convenience store/car wash and beauty shop

2010 Land Use Plan: Heavy Commercial

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: None

Within Area Considered for Annexation: No

Street Designation: Cumberland Road Study specifies Heavy Commercial

Proposed Interchange or Activity Node: No

Urban Services Area: Yes

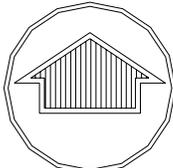
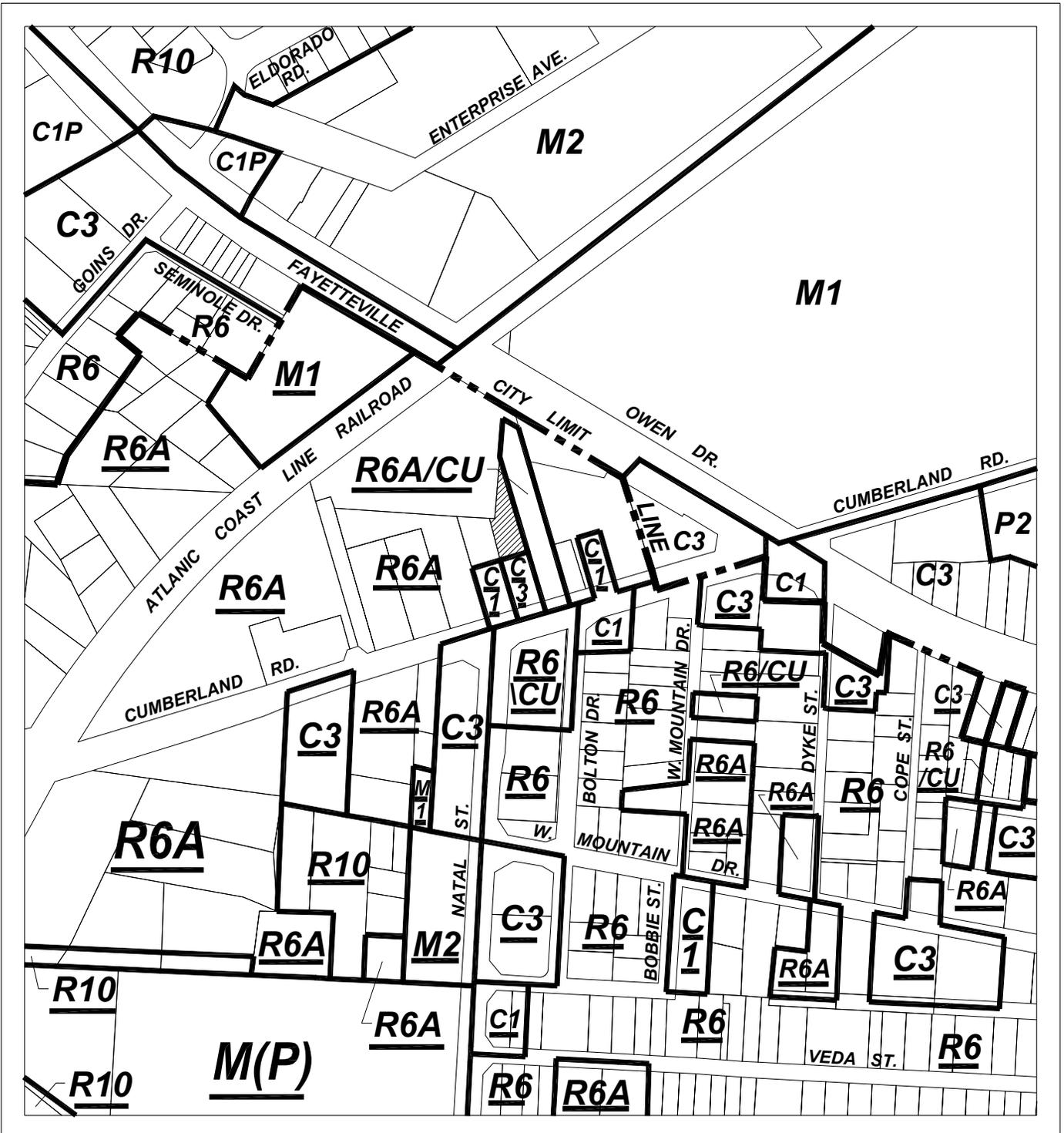
Water/Sewer Availability: PWC / Septic – sewer available at the back of the property

Schools: Cumberland Road Elementary, Ireland Drive Middle, Douglas Byrd Middle and High

Thoroughfare Plan: No road improvements or new constructions specified for this area.

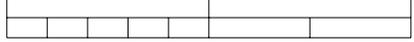
Average Daily Traffic Count (2000): 16,000 on Cumberland Road

Notes:



NORTH

500 0 500



SCALE IN FEET

REQUESTED REZONING: R6A TO C3

ACREAGE: 0.40 AC.±	HEARING NO: P04-27	
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		



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P04-28: REZONING OF 53 ACRES FROM A1 AND R40A TO R15, OR A MORE RESTRICTIVE ZONING DISTRICT, ON THE EAST SIDE OF RAMSEY STREET, ACROSS FROM COATS ROAD, OWNED BY DAVID RAYNOR AND TERRY A. BILL.

The Planning staff recommends approval of the R15 Residential District based on the following:

1. The uses allowed in the R15 District are consistent with the density and land use on surrounding tracts; and
2. Water is available to the site.

The Planning staff finds that the subject property is also suitable for all of the intervening districts (R40, R30, R30A, R20 and RR).

SITE PROFILE

P04-28

REZONING OF 53 ACRES FROM A1 TO R15 OR TO A MORE RESTRICTIVE ZONING DISTRICT, ON THE EAST SIDE OF RAMSEY STREET, ACROSS FROM COATS ROAD, OWNED BY DAVID RAYNOR AND TERRY A. BILL.

Site Information:

Applicant/Owner: DAVID RAYNOR AND TERRY A. BILL

Area: 53 acres

Frontage & Location: 1,122 feet on Ramsey Street

Depth: 2,128 feet

Jurisdiction: County

Adjacent Property: None

Current Use: Agricultural and vacant residence

Initial Zoning: December 17, 2001 (Area 15)

Previous Zoning Action(s): None

Surrounding Zoning: North-A1, R40A, RR, PND/CUO, R6A, C3, M2, East-A1, South-A1, RR, R20, R15, PND/CUO, C3 and West-R40, RR, R15, PND/CUO

Surrounding Land Use: Beauty shop, child care and no name business

2010 Land Use Plan: Farmland

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: None

Within Area Considered for Annexation: No

Street Designation: None

Proposed Interchange or Activity Node: No

Urban Services Area: No

Water/Sewer Availability: Town of Linden / Septic

Schools: Raleigh Road Elementary, Long Hill Elementary, Pine Forest Middle and High

School Capacity/Students: Elementary: 182/219, 404/448, Middle: 872/836, High: 1705/1727

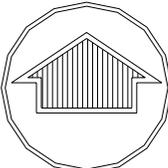
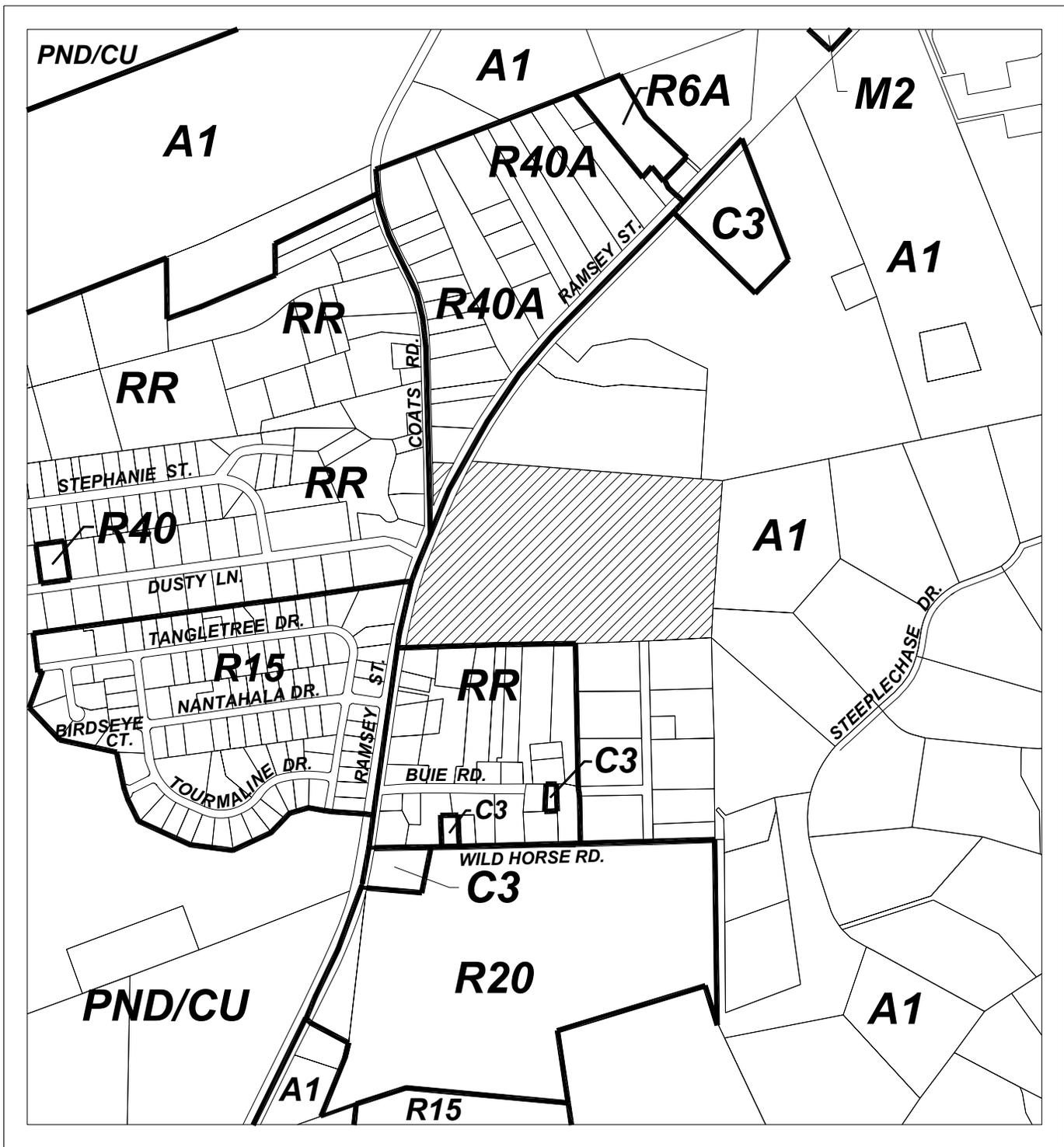
Thoroughfare Plan: US 401 North is identified as a Major Thoroughfare. It has a current adequate 100-foot right-of-way. Road improvements (between Palestine and Coats Roads) are included in the 04-10 MTIP. Currently unfunded.

Average Daily Traffic Count (2000): 8,600 on Ramsey Street

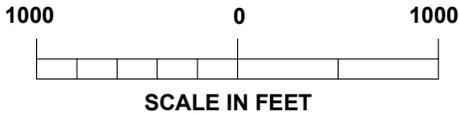
Notes:

Density w/20% for roads:

- A1 – 21 units
- R40 – 46 units
- R30 – 62 units
- R20 – 92 units
- R15 – 123 units



NORTH



REQUESTED REZONING: A1 & R40A TO R15

ACREAGE: 53.00 AC.±		HEARING NO: P04-28	
ORDINANCE: COUNTY		HEARING DATE	ACTION
PLANNING BOARD			
GOVERNING BOARD			



Clifton McNeill, Jr., Chair
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Frank Underwood,
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April 14, 2004

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: STAFF RECOMMENDATIONS
FOR APRIL 20, 2004 MEETING

P04-29: REZONING OF 17.43 ACRES FROM RR TO R10 OR A MORE RESTRICTIVE ZONING DISTRICT ON THE SOUTH SIDE OF CAMDEN ROAD, WEST OF WALDOS BEACH ROAD, SUBMITTED BY K. DOUGLAS BARFIELD.

The Planning staff recommends approval of the R10 Residential District based on the following:

1. The 2010 Land Use Plan calls for low-density residential development at this location; and
2. The uses allowed in the R10 District are consistent with the development and land use on the surrounding tracts.

The Planning staff finds that the subject property is also suitable for the R15 District.

SITE PROFILE
P04-29

REZONING OF 17.43 ACRES FROM RR TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, ON THE SOUTH SIDE OF CAMDEN ROAD, WEST OF WALDOS BEACH ROAD, SUBMITTED BY K. DOUGLAS BARFIELD.

Site Information:

Applicant/Owner: K. DOUGLAS BARFIELD / CAMDEN VENTURES, LLC

Area: 17.43 acres

Frontage & Location: 72 feet on Camden Road

Depth: 960 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Undeveloped

Initial Zoning: February 3, 1977 (Area 7)

Previous Zoning Action(s): None

Surrounding Zoning: North-RR, R20, R10, R6A, East-RR, R10, South-RR, RR/CUO and West-RR, R10

Surrounding Land Use: Sprint substation, church and dump site

2010 Land Use Plan: Low Density Residential

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: None

Within Area Considered for Annexation: No

Street Designation: None

Proposed Interchange or Activity Node: 400 feet West

Urban Services Area: Yes

Water/Sewer Availability: PWC / PWC

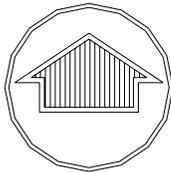
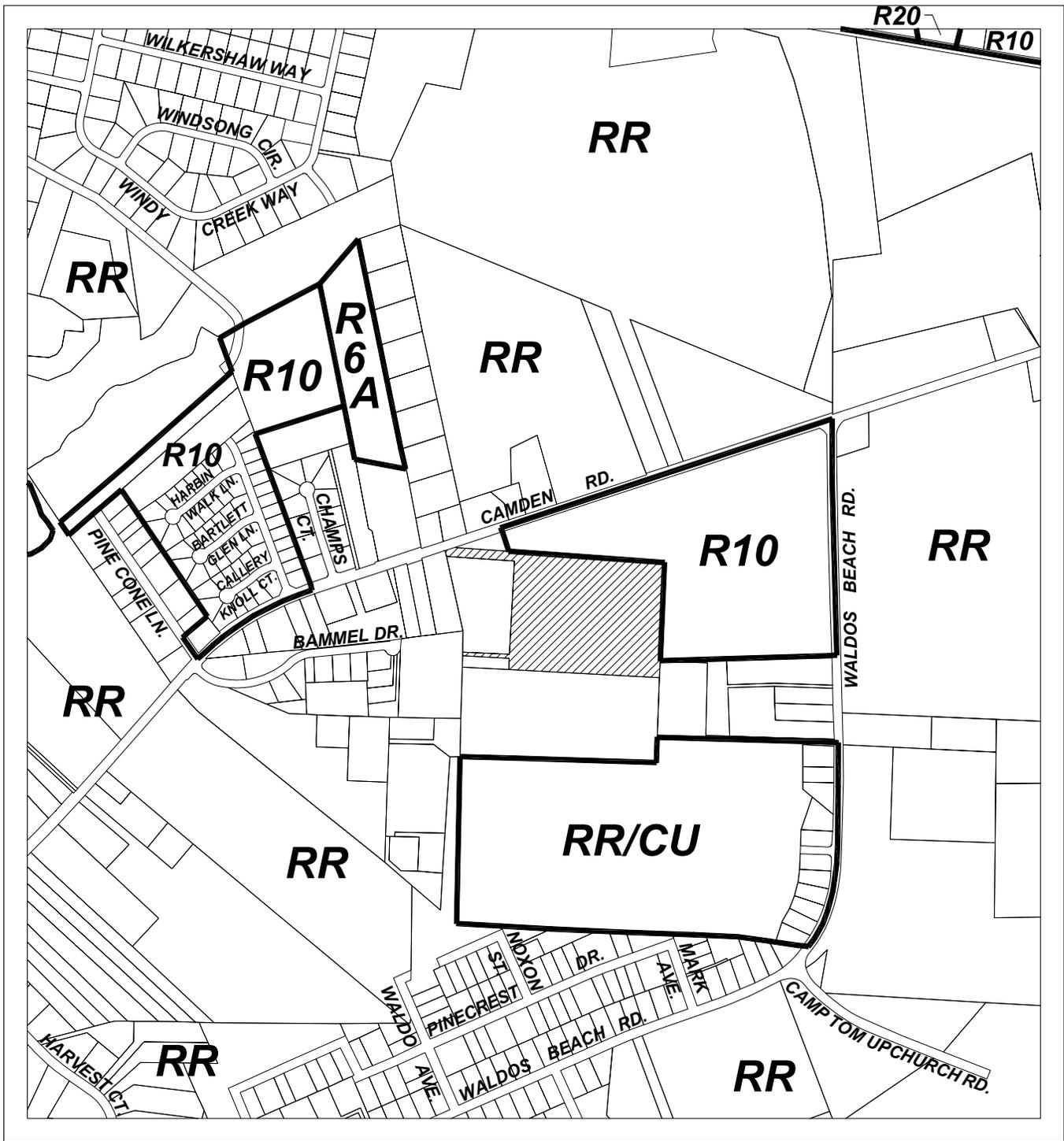
Schools: Stoney Point Elementary, John Griffin Middle, Jack Britt High

School Capacity/Students: Elementary: 599/591, Middle: 1238/1215, High: 1750/1753

Thoroughfare Plan: Camden Road is identified as a Major Thoroughfare. It has a current adequate 110-foot right-of-way. This site is in the general vicinity of the Fayetteville Outer Loop, but will not be impacted.

Notes:

Density w/20% for roads: RR – 30 units
 R15 – 40 units
 R10 – 81 units



NORTH

1000 0 1000



SCALE IN FEET

REQUESTED REZONING: RR TO R10

ACREAGE: 17.43 AC.±

HEARING NO: P04-29

ORDINANCE: COUNTY

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD



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April 14, 2004

MEMO TO: PLANNING BOARD

FROM: PLANNING STAFF

SUBJECT: STAFF RECOMMENDATIONS
FOR APRIL 20, 2004 MEETING

P04-30: REZONING OF .82 ACRES FROM R10 TO C3, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 4244 CUMBERLAND ROAD, SUBMITTED BY JIM MOHLER.

The Planning staff recommends approval of the C3 Heavy Commercial District based on the following:

1. The uses allowed in the C3 District are consistent with the development and land use on the surrounding tracts.

The Planning staff finds that the subject property is also suitable for the O&I Office and Institutional and C1 Local Business Districts.

SITE PROFILE
P04-30

REZONING OF .82 ACRES FROM R10 TO C3 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 4244 CUMBERLAND ROAD, SUBMITTED BY JIM MOHLER.

Site Information:

Applicant/Owner: JIM MOHLER / COURTNEY K. AND BEVERLY A. FULTON

Area: .82 acres

Frontage & Location: 203 feet on Cumberland Road

Depth: 188 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Residential

Initial Zoning: August 1, 1975 (Area 3)

Previous Zoning Action(s): None

Surrounding Zoning: North-R10, R6, R6A, East-R10, R6A, C3, South-RR, R10, R6, R6A and West-R10, R6A, C1, C1/CUO, C3

Surrounding Land Use: Church, pool company, spa, print business, no name mobile home park

2010 Land Use Plan: Low Density Residential

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: None

Within Area Considered for Annexation: No

Street Designation: Cumberland Road Study calls for Low Density Residential but adjacent property to the East is Heavy Commercial.

Proposed Interchange or Activity Node: No

Urban Services Area: Yes

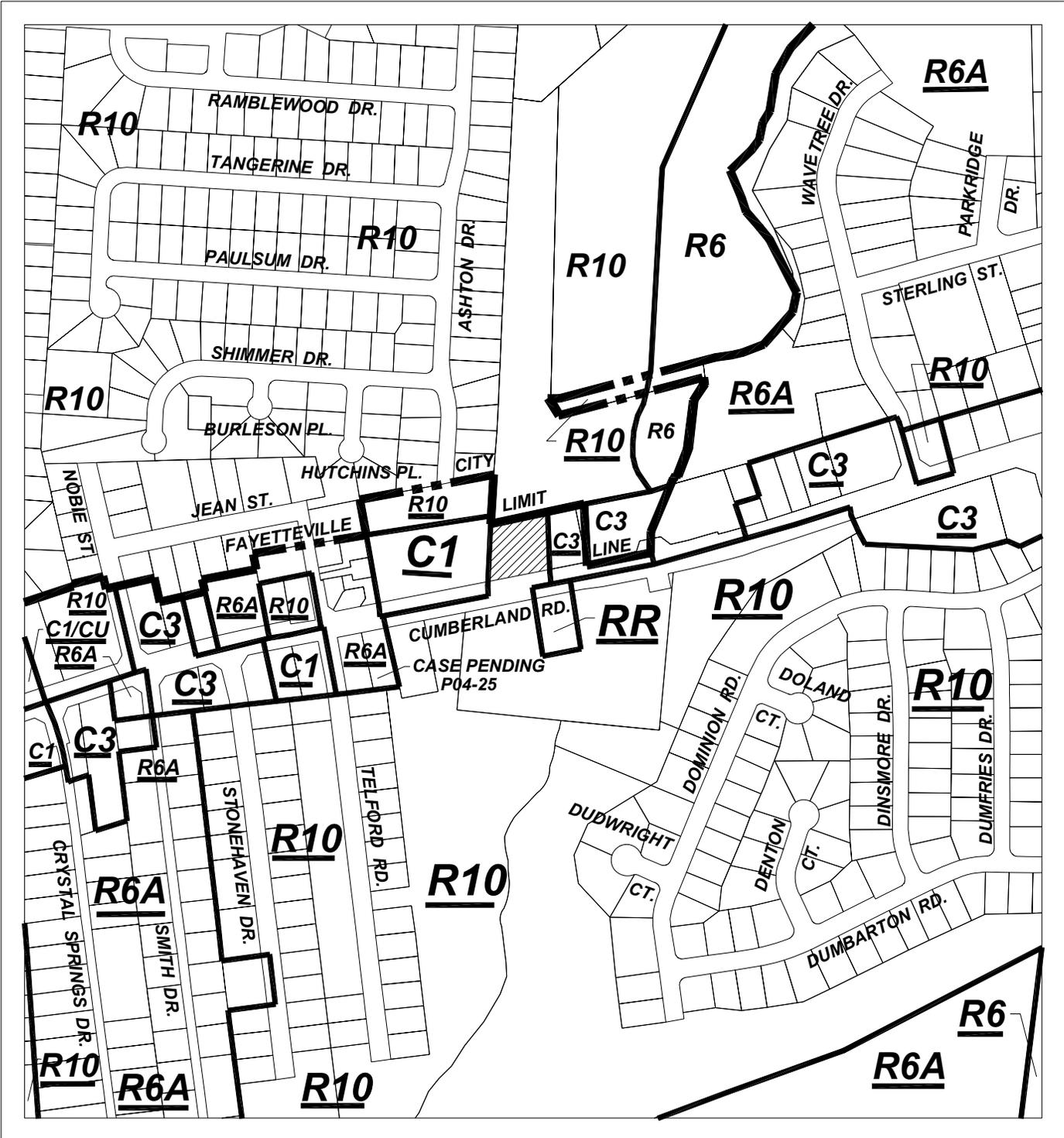
Water/Sewer Availability: PWC / Septic Tank – sewer available 650 feet to the east

Schools: Sherwood Park Elementary, Ireland Drive Middle, Douglas Byrd Middle and High

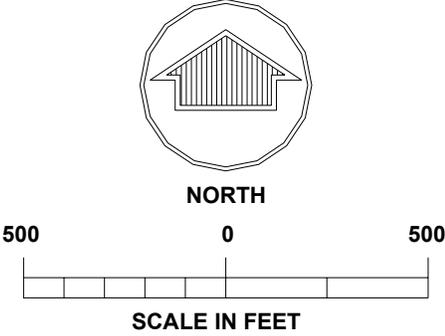
Thoroughfare Plan: Cumberland Road is identified as a Major Thoroughfare. It has a current adequate 110-foot right-of-way. Road improvements (between Hope Mills Road and Ireland Drive) are included in the 04-10 MTIP. Currently under construction.

Average Daily Traffic Count (2000): 20,000 on Cumberland Road

Notes:



REQUESTED REZONING: R10 TO C3



ACREAGE: 0.82 AC.±		HEARING NO: P04-30	
ORDINANCE: COUNTY		HEARING DATE	ACTION
PLANNING BOARD			
GOVERNING BOARD			



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Frank Underwood,
Town of Stedman

April 14, 2004

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: STAFF RECOMMENDATIONS
FOR APRIL 20, 2004 MEETING

P04-31: CONDITIONAL USE OVERLAY DISTRICT AND PERMIT TO ALLOW A CARPET CLEANING OFFICE IN AN R6A DISTRICT ON .46 ACRES AT 1444 BINGHAM DRIVE, SUBMITTED BY AMI CROUTER.

The Planning staff recommends denial of the Conditional Use Overlay District based on the finding that the request is not reasonable at this location.

The Planning staff recommends denial of the Conditional Use Overlay Permit based on the findings that the proposal:

1. Will not be in harmony with the area in which it is to be located; and
2. Will not be in conformity with the 2010 Land Use and Thoroughfare Plans.

SITE PROFILE
P04-31

A CONDITIONAL USE OVERLAY DISTRICT AND PERMIT TO ALLOW A CARPET CLEANING OFFICE IN AN R6A DISTRICT, ON .46 ACRES, AT 1444 BINGHAM DRIVE, SUBMITTED BY AMI CROUTER.

Site Information:

Applicant/Owner: AMI CROUTER / THOMAS FOLDESI

Area: .46 acres

Frontage & Location: 98 feet on Bingham Drive

Depth: 206 feet

Jurisdiction: County

Adjacent Property: Yes

Current Use: Vacant Residential

Initial Zoning: February 6, 1976 (Area 5)

Previous Zoning Action(s): None

Surrounding Zoning: North-R10, C1, East-R10 and South and West-R10, R6A

Surrounding Land Use: Two mobile home parks

2010 Land Use Plan: Medium Density Residential

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: None

Within Area Considered for Annexation: Yes

Street Designation: None

Proposed Interchange or Activity Node: No

Urban Services Area: Yes

Water/Sewer Availability: PWC / Septic

Schools: Brentwood Elementary, Lewis Chapel Middle, Seventy First High

Thoroughfare Plan: Bingham Drive is identified as a major Thoroughfare. It has a current adequate 90-foot right-of-way. Road improvements (between Crestwood and Kincross Avenues) are included in the 04-10 MTIP. ROW Acquisition: Completed, Construction: Scheduled to start 7/04

Average Daily Traffic Count (2000): 11,000 on Bingham Drive

Notes:

1. Administration office for carpet cleaning business.
2. Hours of operation: 9am to 5pm, Monday thru Friday.
3. Employees: 2 in the office, 2 in the field
4. Parking: 8-10 spaces
5. Signage: IAW the Zoning Ordinance.
6. Lighting to be directed inward.
7. The business will have 2 vans not to be kept on the site.

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

I (We), the undersigned, hereby submit application and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for by Section 12.5 of the Zoning Ordinance. In support of this petition, as hereinafter requested, the following facts are submitted:

The property sought for Conditional Use Overlay is located:

Address 1444 Bingham Dr 28304
(Street address or Route and Box #, and Zip Code)

Located on off Raeford
(Name of Street/ Road, or General Directions to Site)

Parcel Identification Number 0406-44-4992-
(obtain from Tax Receipt or from Office of the Tax Administrator 678-7567)

Lot(s) # 84 Frontage 97.80 feet Depth 205.70 Containing .46 acres +/-.

The applicant(s) must furnish a copy of the recorded deed(s) and/or recorded plat map of the area considered for Conditional Use Overlay. If area to be considered for Conditional use Overlay is a portion of a parcel, a written legal description by metes and bounds must accompany the deed and/or plat. (Attach a copy of each, as they apply, to this petition.)

The property sought for Conditional Use is owned by: Thomas Foldesi
as evidenced by deed from Victor Rogers
as recorded in Deed Book 695, Page(s) 187, Cumberland County Registry.

It is requested that the foregoing property be rezoned as Conditional Use Overlay District from R6A to R6A Conditional Use.

Proposed use of property requested for Conditional Use: Secretary Station for Carpet Cleaning Business
not on site
Note: This information shall not be used in the consideration of the Conditional Use request by the Planning Staff, Planning Board or the County Commissioners but to ensure that the proposed or intended use of the property is not otherwise allowed as a Specified Conditional Use in the zoning district in which it is located. Planning Staff will assist in determining the proper classifications(s), however, the responsibility of the actual request as submitted is that of the applicant.

Existing use of the property (Residential, commercial and specify any structures and respective uses): Un-Occupied Residential

Water Provider (Existing or Proposed):

Well _____ PWC Electric Community Water Brookwood W. (Name)

Septage Disposal Provided by: Septic Tank X PWC _____

APPLICATION FOR
CONDITIONAL USE OVERLAY DISTRICT

1. Proposed uses(s):

- A. List the uses proposed for the Conditional Use Overlay District. (Use of the underlying district will continue to be legal, unless otherwise restricted.)

Office for Secretary of Carpet Cleaning
Business.

- B. Justification in terms of need and benefit to the community. Include a statement regarding how the uses will be compatible.

- C. Density: (If the project is to include residential units, state the number of dwelling units proposed for the project and the gross number of acres to be used.)

2. Dimensional Requirements:

- A. Reference either the dimensional requirements of district as shown in Section 7.3 or list proposed setbacks.

- B. Off-street parking and loading.

3. Sign Requirements:

A. Reference district sign regulations proposed from Section 9.4.

B. List any variance proposed from those regulations.

4. Miscellaneous:

Set forth other information regarding the proposed use(s), such as days and hours of operation, number of employees, exterior lighting, and noise, odor and smoke emission controls, etc., which are considered to determine whether the proposed use of the property will be compatible with surrounding areas and uses allowed therein.

See Attach Sheet

5. Site Plan Requirements:

Attach a site plan drawn to scale. If the proposed uses involve development subject to Cumberland County subdivision regulations, the site plan required hereunder may be general in nature, showing a generalized street pattern, if applicable and the location of proposed structures. If the proposed uses involve development not subject to subdivision regulations, the site plan shall include sufficient detail to allow the Planning Department and Planning Board to analyze the proposed use(s) and arrangement of use(s) on the site. Outline all buildings to be placed on the site, the proposed number of stories, the location and number of off-street parking spaces, proposed points of access to existing streets and internal circulation patterns, and the location of all proposed buffers and fences.

6. Acknowledgement:

It is understood and agreed that upon review by the Planning Board and action by the Board of Commissioners, the uses proposed in the petition may be modified and conditions and limitations placed upon them to insure compatibility of the uses with land use plans, studies or policies and/or existing uses in the surrounding area or community.

1444 Bingham Dr. Fayetteville NC 28304

Miscellaneous.

We will have 4 employees but only 2 will be on premises.

Hours of operation will be 9 am – 5 pm Monday / Friday

Location will be administration office for Carpet Cleaning Business.

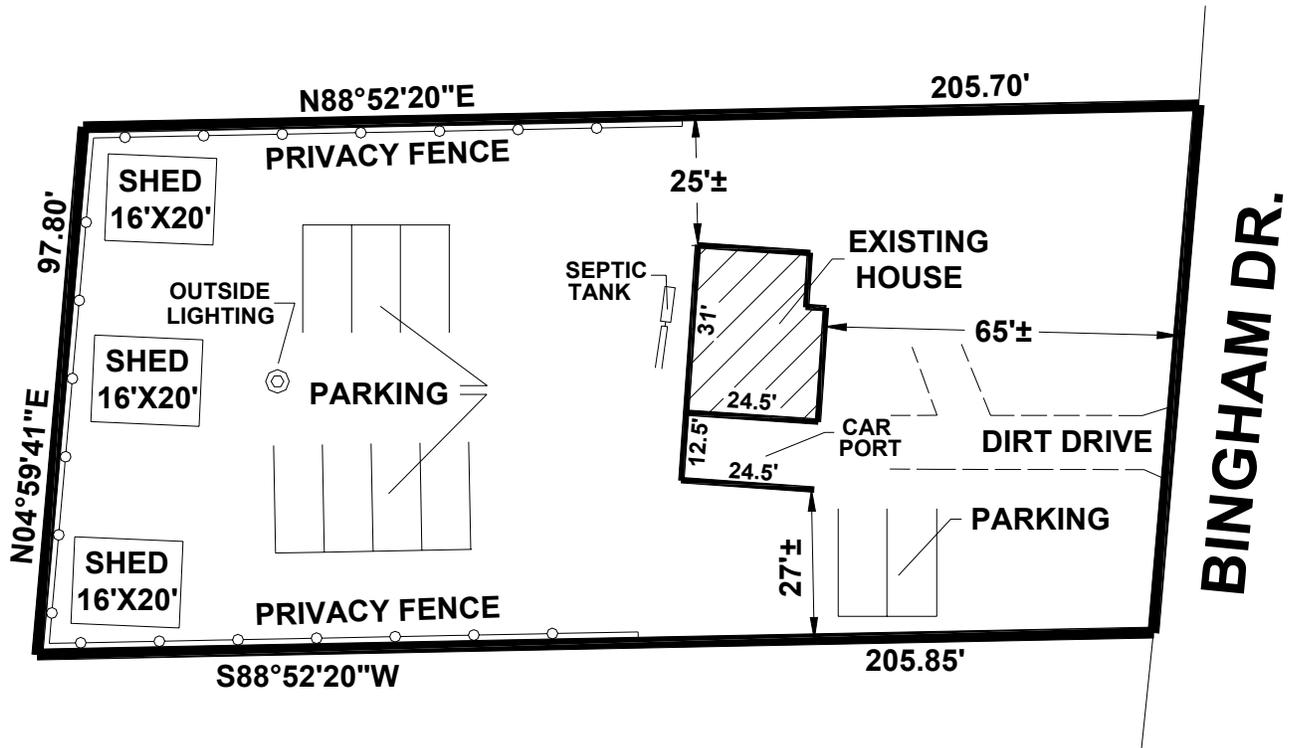
There will be one light on posts in back yard to discourage breaking and entering.

We have 2 vans that will not be parked at this location.

There will be 8- 10 parking spaces between back & front spaces

If required and permitted by building codes, we will be closing in the carport. Which will be wheel chair accessible and rest room in this area if required by building codes.

Signs will be according to IAW ordinance.



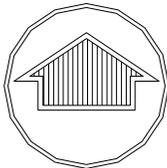
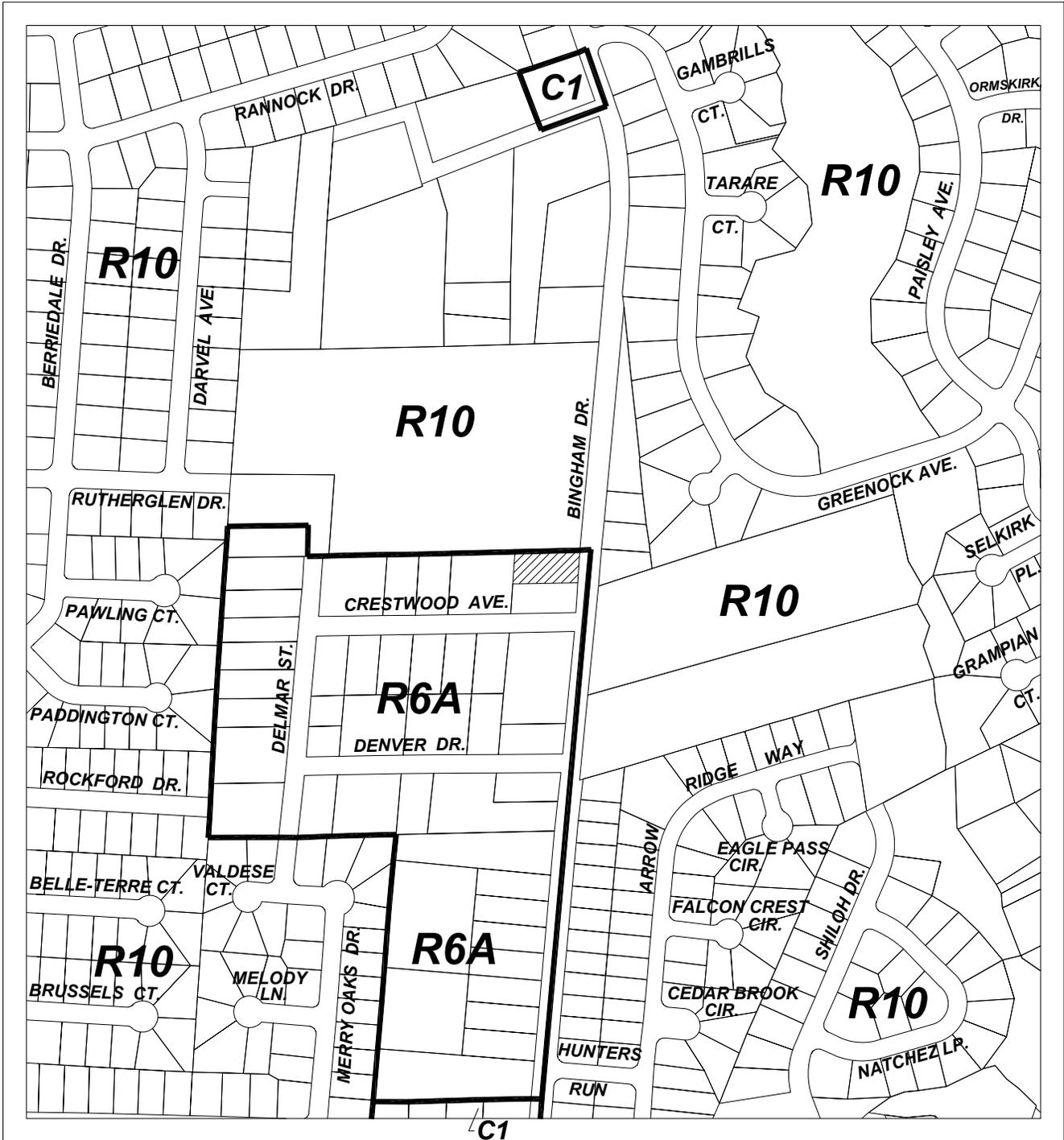
CONDITIONAL USE OVERLAY

REQUEST: TO ALLOW A CARPET CLEANING OFFICE

CASE: P04-31 SCALE: 1"=30'

ACREAGE: 0.46± ZONED: R6A

PARKING: 9 SPACES SHOWN



NORTH



SCALE IN FEET

CONDITIONAL USE OVERLAY DISTRICT REQUEST

ACREAGE: 0.46 AC.±		HEARING NO: P04-31	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

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COUNTY of CUMBERLAND

Planning and Inspections Department

Joe W. Mullinax,
Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Frankie Underwood,
Town of Stedman

April 5, 2004

MEMORANDUM

TO: Planning Board

FROM: Edward M. Byrne, Planner I

SUBJECT: Case No. 98-351
Taylors Creek Mobile Home Park
(Mobile Home Park Plan Review)

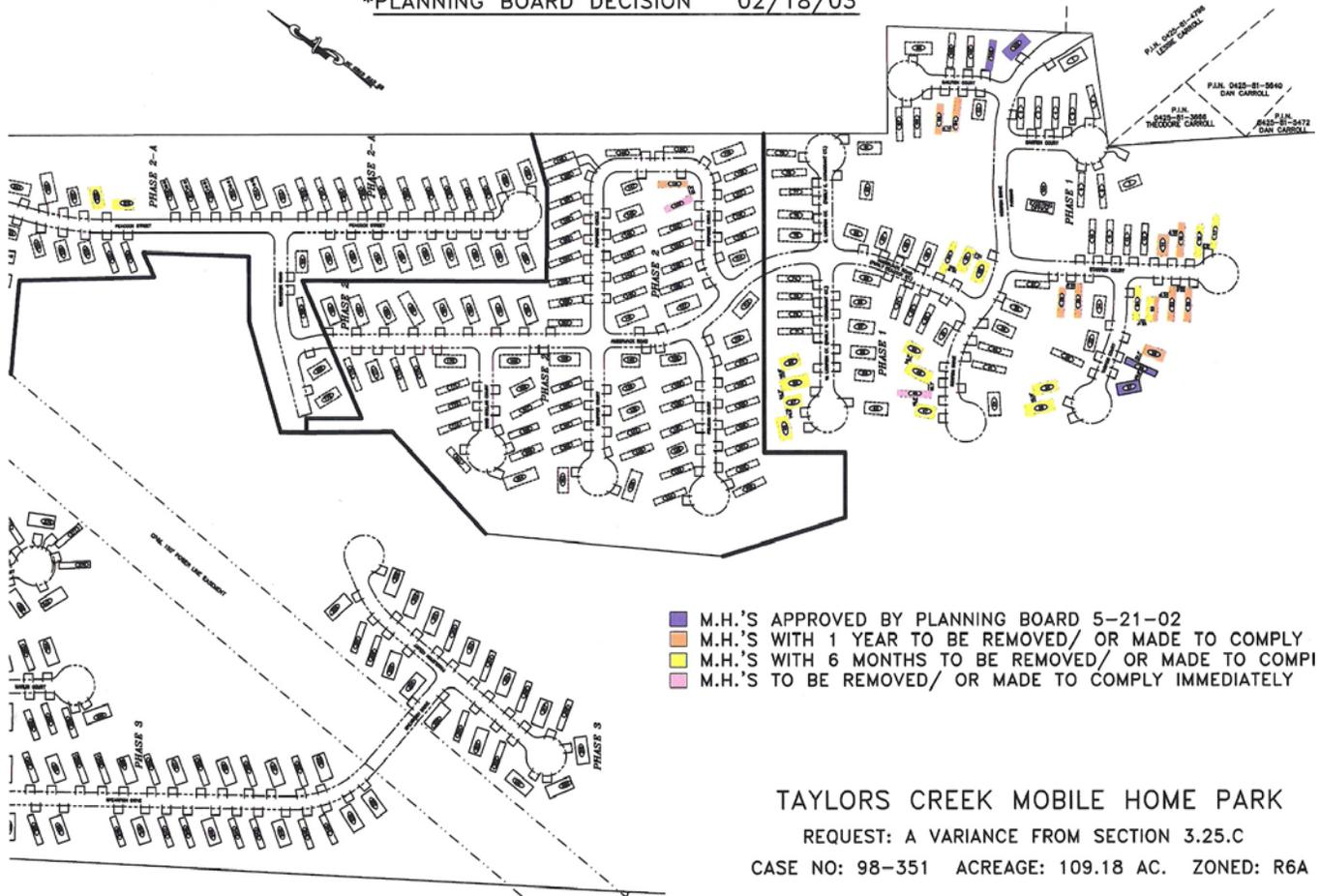
The Developer has submitted a request for the Cumberland County Joint Planning Board to reconsider their decision from the February 18, 2003 board meeting. The developer has required variances from Section 3.25.c "Requirements for Mobile Home Parks" of the County Subdivision Ordinance. This Section of the Ordinance requires all manufactured homes within the park to meet minimum separation standards.

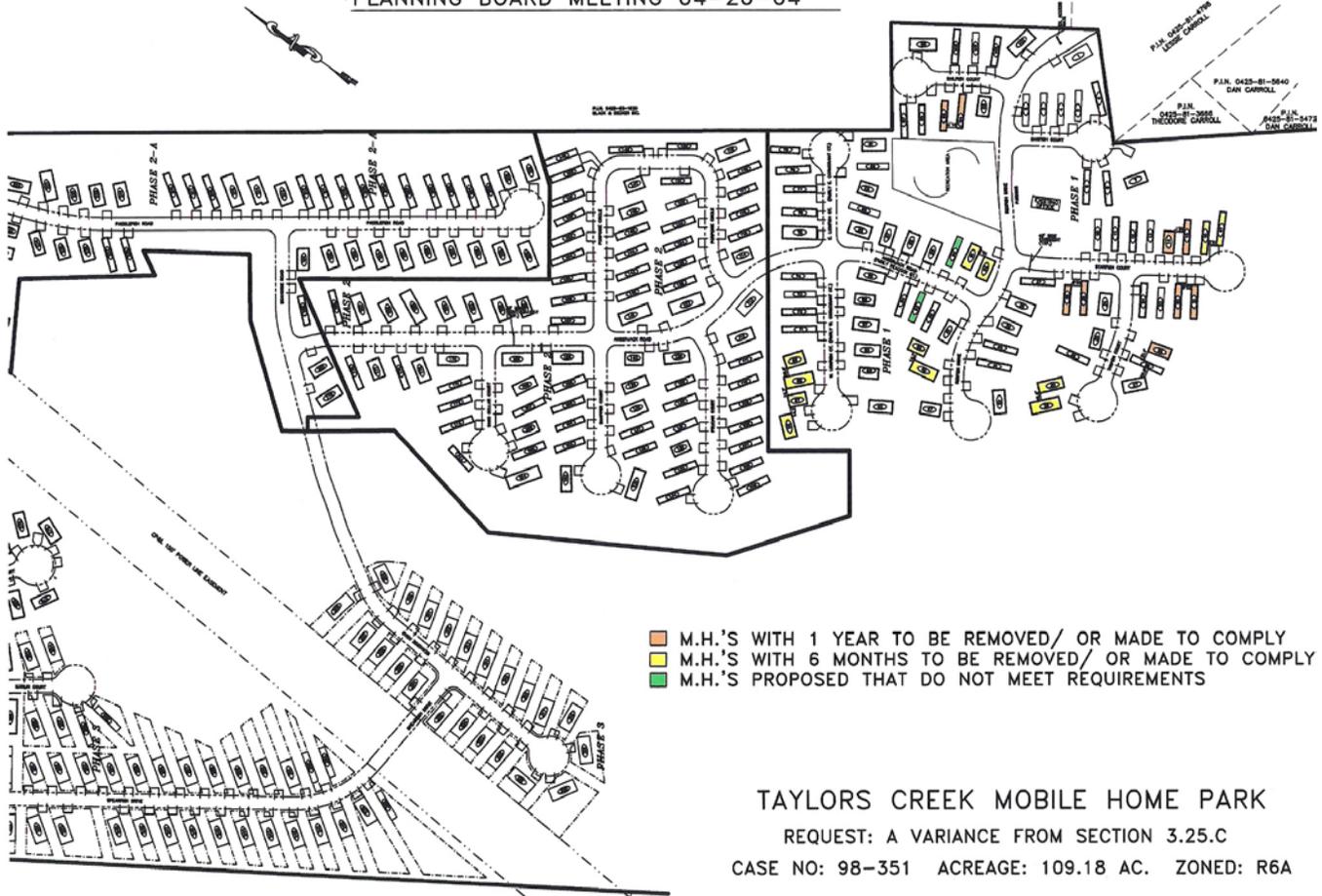
In April of 2002 it was discovered that some of the manufacture homes within this park did not meet the minimum separation requirements. The Cumberland County Joint Planning Board granted variances on four of the manufactured homes because the ordinance did not fully address manufactured homes that were located end to side. The Planning Staff was directed to work with the developer to see which manufacture homes were the worst in violations and to see if any of them could be moved to come into compliance. The Board after several meeting came to the final decision, which gave the developer a "timed compliance" schedule to comply with the standards. The final date for all Manufactured homes in violation to be brought into compliance was one year from the date of the Cumberland County Joint Planning Board decision on Febraury 18, 2003.

The Planning Staff checked after the year had past and most of the manufactured homes were still out of compliance. Permits were withheld on any new manufactured homes until the developer contacted us about the situation. The developer asked if he could go back before the Board to request more time or to get variances on the remaining manufactured homes still out of compliance, he was advised that it was one of his options.

In your packets you will find a copy of a map indicating the manufactured homes that were out of compliance and the time frame the Board gave for them to be brought into compliance. Also included are maps showing the manufactured homes that still do not comply with the standards.

In accordance with Section 6.1, Variances, of the Cumberland County Subdivision Ordinance, the Planning Board may vary the requirements of this ordinance, where because of the size of the tract to be subdivided, its topography, the condition or nature of the adjoining areas, or the existence of other unusual physical conditions, strict compliance with the provisions of this ordinance would cause an unusual and unnecessary hardship on the subdivider.

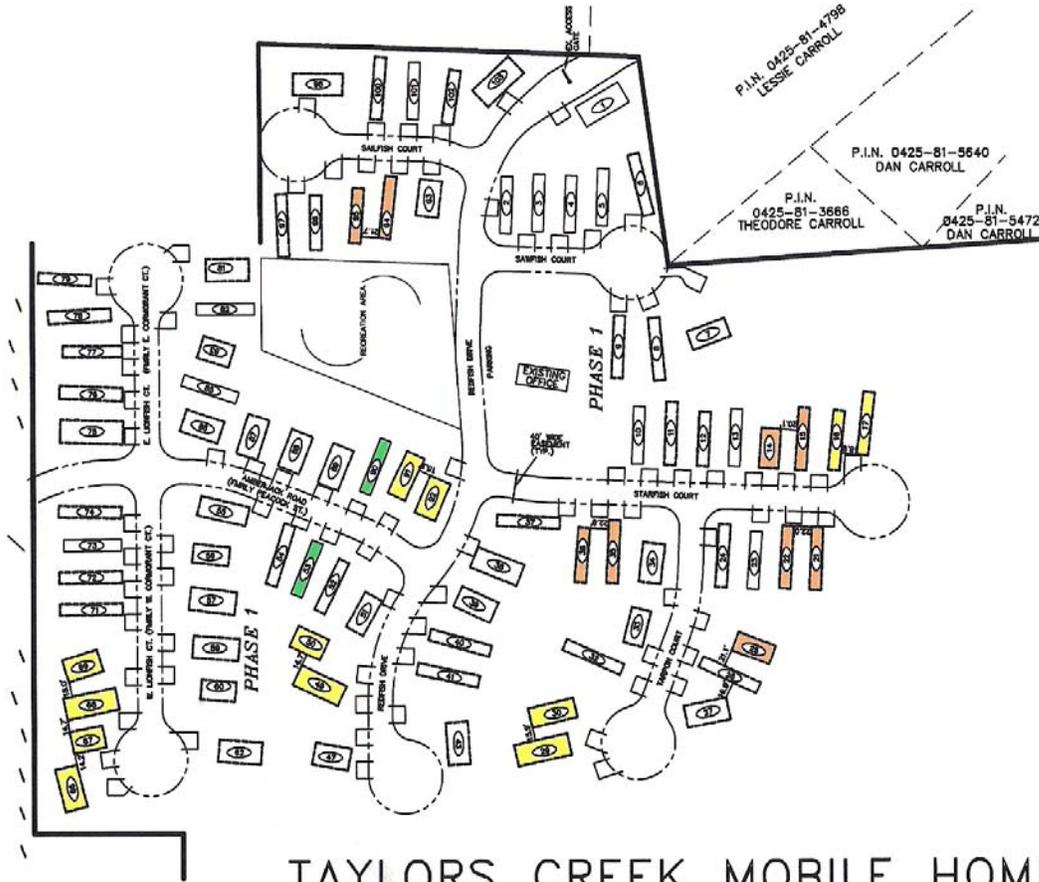




TAYLORS CREEK MOBILE HOME PARK
REQUEST: A VARIANCE FROM SECTION 3.25.C
CASE NO: 98-351 ACREAGE: 109.18 AC. ZONED: R6A

DETAIL FOR PLANNING BOARD 04-20-04

- M.H.'S WITH 1 YEAR TO BE REMOVED/ OR MADE TO COMPLY
- M.H.'S WITH 6 MONTHS TO BE REMOVED/ OR MADE TO COMPLY
- M.H.'S PROPOSED THAT DO NOT MEET REQUIREMENTS



TAYLORS CREEK MOBILE HOME PARK

REQUEST: A VARIANCE FROM SECTION 3.25.C

CASE NO: 98-351 ACREAGE: 109.18 AC. ZONED: R6A