

**Charles C. Morris**  
Chair  
Town of Linden

**Donovan McLaurin**  
Vice-Chair  
Wade, Falcon & Godwin  
Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman



## COUNTY of CUMBERLAND

*Planning and Inspections Department*

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

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

November 10, 2005

### MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Nancy Roy

SUBJECT: November 15, 2005 Meeting

The next scheduled meeting of the Cumberland County Joint Planning Board will be held on **Tuesday, November 15, 2005, 7:00 p.m.**, in Public Hearing Room #3 of the Historic County Courthouse at 130 Gillespie Street. You will find the following information included in your packet:

1. Tentative Agenda for the November 15, 2005 Meeting
2. Minutes of November 1, 2005
3. Staff recommendations and site information for Cases 05-174, P05-80, P05-81, P05-83, P05-84, P05-85, P05-86, P05-87, P05-88, P05-89, P05-90, P05-91.

Should you have any questions about the enclosed materials, please call me at 678-7606.

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### **TENTATIVE AGENDA** **NOVEMBER 15, 2005** 7:00 p.m.

- 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 NOVEMBER 1, 2005

#### REZONING CASES

- A. P05-80: REZONING OF A .92 ACRE PORTION OF A 1.38 ACRE TRACT FROM RR TO C1(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, EAST OF BAYWOOD ROAD, NORTH OF CLINTON ROAD, SUBMITTED BY RICHARD M. WIGGINS, OWNED BY WILLIAM R. AND MARTHA L. DOWNING.
- B. P05-81: REZONING OF 1.0 ACRES FROM PND TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, EAST OF RAMSEY STREET, ACROSS FROM ELLIOT BRIDGE ROAD, OWNED BY N & B COMPANY, LLC.
- C. P05-83: INITIAL ZONING OF 3.256 ACRES TO R6A, ON MCKETHAN STREET, WEST OF DUNN ROAD, SUBMITTED BY THE TOWN OF WADE. (WADE)
- D. P05-84: INITIAL ZONING OF 212.69 ACRES TO R30 AND R15, SOUTH OF RIVER ROAD, NORTHWEST OF POWELL STREET, SUBMITTED BY THE TOWN OF WADE. (WADE)
- E. P05-85: INITIAL ZONING OF 16.66 ACRES TO R6A, NORTH AND SOUTH OF MCKETHAN STREET, WEST OF DUNN ROAD, SUBMITTED BY THE

TOWN OF WADE. (WADE)

- F. P05-86: INITIAL ZONING OF 30.70 ACRES TO RR AND R6A, WEST OF POWELL STREET, NORTH OF SWAMP ROAD, SUBMITTED BY THE TOWN OF WADE. (WADE)
- G. P05-87: INITIAL ZONING OF 20.19 ACRES TO A1, EAST AND WEST OF COVINGTON LANE, NORTH OF I-95, SOUTH OF WADE-STEDMAN ROAD, SUBMITTED BY THE TOWN OF WADE. (WADE)
- H. P05-88: INITIAL ZONING OF 31.26 ACRES TO A1 AND RR EAST OF MAIN STREET, NORTH OF SMITHFIELD ROAD, SUBMITTED BY THE TOWN OF WADE. (WADE)
- I. P05-89: REZONING OF A 9.69 ACRE PORTION OF A 75.68 ACRE TRACT FROM R10 TO R5A OR TO A MORE RESTRICTIVE ZONING DISTRICT, ON THE SOUTH SIDE OF HOPE MILLS BYPASS, NORTHWEST OF CAMDEN ROAD, SUBMITTED BY SOUTH WOODLANDS PROPERTIES, LLC, OWNED BY KATHERINE MCGEACHY WARD, ANN WARREN, JOSEPH NEIL ET. AL.
- J. P05-90: REZONING OF A 10.41 ACRE PORTION OF A 75.68 ACRE TRACT FROM R10 TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT THE NORTH AND WEST QUADRANTS OF HOPE MILLS BYPASS AND CAMDEN ROAD, SUBMITTED BY SOUTH WOODLANDS PROPERTIES, LLC, OWNED BY KATHERINE MCGEACHY WARD, ANN WARREN, JOSEPH NEIL ET. AL.
- K. P05-91: REZONING OF .21 ACRES FROM R6A TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, EAST OF LILLINGTON HIGHWAY, SOUTH OF CHAPEL HILL ROAD, SUBMITTED BY ROBERT M. BENNETT, OWNED BY LARONDA GORE FREEMAN AND ARTHUR FREEMAN. (SPRING LAKE)

VII. PUBLIC HEARING ITEM

VIII. PLAT & PLAN

- A. 05-174: CONSIDERATION OF LEGION CROSS APARTMENT, SUBDIVISION & GROUP DEVELOPMENT REVIEW, A RELIEF FROM CONDITION REQUIRING INTERCONNECTIVITY BETWEEN DEVELOPMENTS, LOCATED ON THE EAST SIDE OF SR 1132 (LEGION ROAD), NORTH OF SETH WAY DRIVE.

IX. DISCUSSION

- A. ADMINISTRATIVE COMMITTEE UPDATE

X. FOR YOUR INFORMATION

- A. DIRECTOR'S UPDATE

X. ADJOURNMENT

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## **MINUTES**

NOVEMBER 01, 2005

### **Members Present**

Mr. Charles Morris, Chair  
Mr. Donovan McLaurin, Vice-Chair  
Director  
Mr. Clifton McNeill  
Ms. Sara Piland  
Ms. Lori Epler  
Mr. Garland Hostetter  
Mr. Roy Turner  
Mr. Harvey Cain  
Ms. Diane Wheatley, County Commissioner

### **Others Present**

Ms. Nancy Roy, Director  
Mr. Tom Lloyd, Dep.  
  
Ms. Annette Nunnery  
Ms. Patricia Speicher  
Mr. Will Denning  
Mr. Grainger Barrett,  
County Attorney

### **I. INVOCATION AND PLEDGE OF ALLEGIANCE**

Mr. Cain delivered the invocation, and led those present in the Pledge of Allegiance.

### **II. APPROVAL OF AGENDA**

A motion was made by Mr. McLaurin and seconded by Ms. Epler to approve the agenda as submitted. The motion passed unanimously.

### **III. PUBLIC HEARING DEFERRALS**

There were no public hearing deferrals.

### **IV. ABSTENTIONS BY BOARD MEMBERS**

There were no abstentions.

### **V. CONSENT ITEMS**

#### **A. APPROVAL OF THE MINUTES OF OCTOBER 18, 2005**

A motion was made by Mr. Turner and seconded by Mr. McNeill to approve the Minutes of October 18, 2005 as written. The motion passed unanimously.

VI. PUBLIC HEARING

AMENDMENT

- A. CASE NO. P05-82. REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE BY CREATING SECTION 1102 "N", ENTITLED "LANDSCAPE REQUIREMENTS FOR NEW NON-RESIDENTIAL AND MIXED USE DEVELOPMENT" IMPLEMENTING MINIMUM ACCEPTABLE STANDARDS FOR LANDSCAPING THUS PROVIDING PROTECTION OF THE PHYSICAL AND VISUAL ENVIRONMENT FOR THE CITIZENS OF CUMBERLAND COUNTY.

Public Hearing was opened at 7:04 p.m.

Mr. Lloyd reviewed and summarized the "Landscape Requirements" Amendment.

Chair Morris requested that a one-year review period be written as an addendum to allow for possible adjustments at a later date. Planning staff and Board members were in full agreement.

Public Hearing was closed at 7:07 p.m.

Mr. McNeill asked for clarification that the statements compiled from developers and landscapers expressed predictable opinions. Staff stated that his view was correct. Mr. McNeill asked if the Landscape Ordinance would conflict with the Sign Ordinance.

Mr. Denning stated that there were no problems.

The Board entertained a discussion on vegetation types.

**Mr. McNeill presented a motion, seconded by Ms. Epler, to approve the revision and amendment as written, with a one-year review requirement. Motion passed unanimously.**

VI. DISCUSSION

- A. Mr. Gordon Rose, of McKim & Creed Engineering Firm, presented information on Bio-Retention and Low Impact Development. He reviewed data compiled from the Biology and Agricultural Department at NC State University, detailing sedimentation control and storm water pollution issues. Mr. Rose outlined solutions to the problems including excavation, landscaping, and curb-cutting. He noted that the purpose of bio-retention is to reduce storm water runoff; remove pollutants prior to reaching streams; and to do so in an aesthetically pleasing manner.

Light discussion ensued regarding MPDS and MIA requirements, sidewalks, aesthetics, and walkable communities.

- B. Cumberland County Attorney Grainger Barrett updated the Board on new planning statutes. Overview of changes included those involving comprehensive plans, which will require the Board to include a written statement of reason when adopting or rejecting any zoning amendment.

Also, Mr. Barrett stressed the area of "Conflicts of Interest" which specifies reasons for Board members to abstain from voting.

VII. DIRECTOR'S UPDATE

Chair Morris announced that Nancy Roy would be retiring as Director of Planning & Inspections, effective January 01, 2006. He wished Ms. Roy the best and thanked her for the work she had done for the Board. Ms. Roy complimented staff for all of their support during her tenure.

VIII. ADJOURNMENT

**There being no further business, the meeting was adjourned at 8:28 p.m.**

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November 10, 2005

MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATIONS  
FOR NOVEMBER 15, 2005

P05-80: REZONING OF A .92 ACRE PORTION OF A 1.38 ACRE TRACT FROM RR TO C1(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, EAST OF BAYWOOD ROAD, NORTH OF CLINTON ROAD, SUBMITTED BY RICHARD M. WIGGINS, OWNED BY WILLIAM R. AND MARTHA L. DOWNING.

The Planning staff recommends approval of C1(P), even though the request is not consistent with the 2010 Land Use Plan, based on the findings that:

1. Baywood Road is identified as a major thoroughfare;
2. Site plan review is desirable at this location;
3. Connection to utilities would be required upon development; and
4. All property must be placed under the same ownership in the same zoning classification.

### **SITE PROFILE**

**P05-80**

REZONING OF A .92 ACRE PORTION OF A 1.38 ACRE TRACT FROM RR TO C1(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, EAST OF BAYWOOD ROAD, NORTH OF CLINTON ROAD, SUBMITTED BY RICHARD M. WIGGINS, OWNED BY WILLIAM R. AND MARTHA L. DOWNING.

**Site Information:**

**Applicant/Owner:** RICHARD M. WIGGINS / WILLIAM R. AND MARTHA L. DOWNING

**Area:** .92 acres

**Frontage & Location:** 230 feet on Baywood Road

**Depth:** 190 feet

**Jurisdiction:** County

**Adjacent Property:** No

**Current Use:** Beauty shop

**Initial Zoning:** September 3, 1996 (Area 20)

**Zoning Violation(s):** None

**Surrounding Zoning:** North-RR, R10, East-RR, South-RR, RR/CU, C1P, R20 and West-RR, R10, R5A, O&I(P), R5A

**Surrounding Land Use:** Vacant commercial and single family residential

**2010 Land Use Plan:** Suburban Density Residential

**Designated 100-Year Floodplain or Floodway:** No Flood

**Urban Services Area:** Yes

**Water/Sewer Availability:** PWC / Septic Tank - PWC sewer available on Clinton Road

**School Capacity/Enrolled:** Sunnyside School Road 308/308, Mac Williams Middle 1218/1120, Cape Fear High 1415/1517

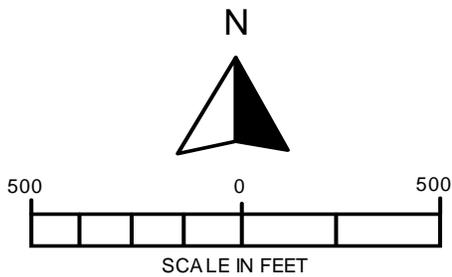
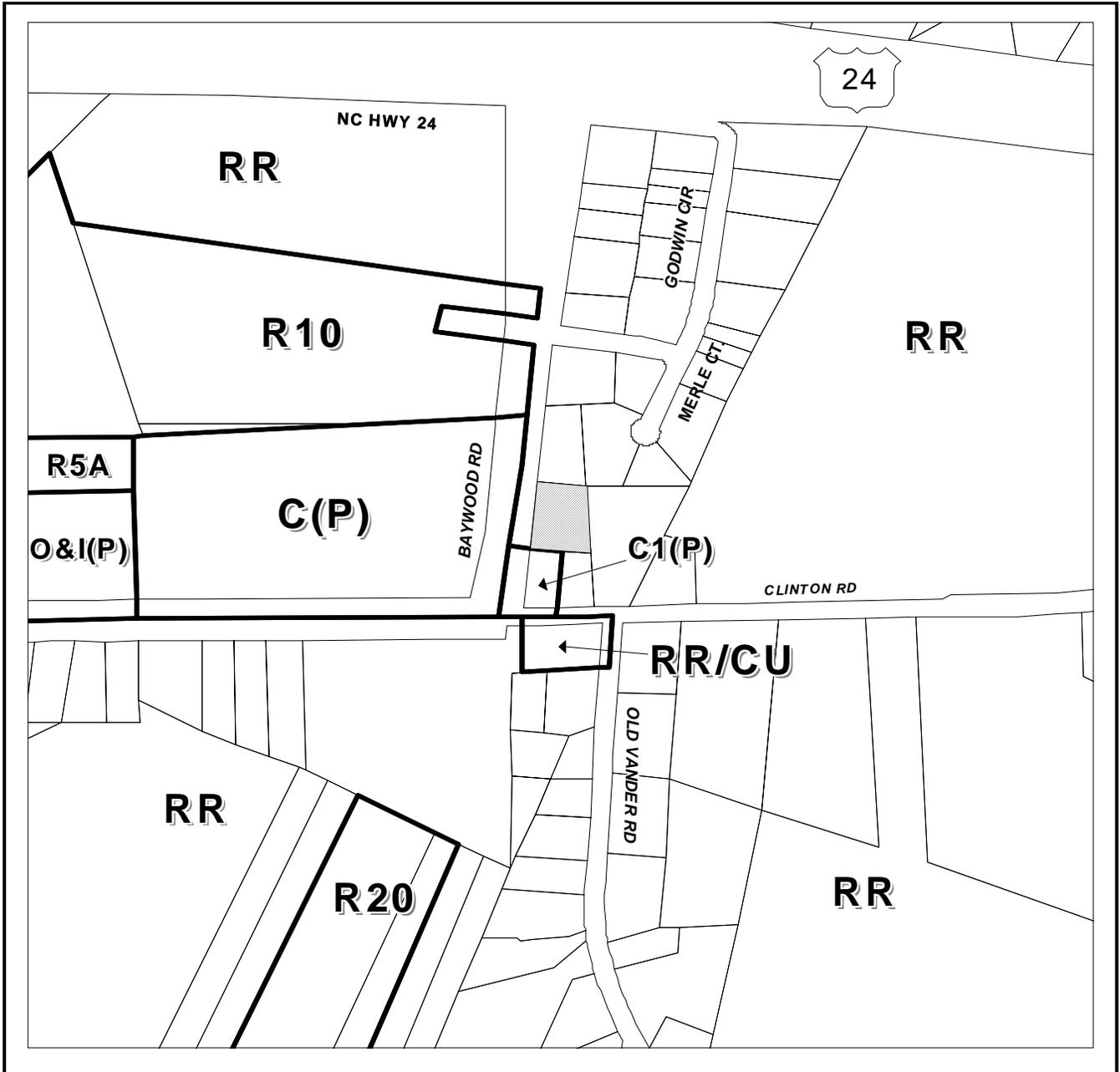
**Subdivisions:** If approved, Group Development/Site Plan review would be required.

**Military Impact Area:** No

**Highway Plan:** Baywood Road is identified as a Major Thoroughfare. The Plan calls for a center turning lane to this road.

**Average Daily Traffic Count (2000):** 2,700 on Baywood Road, 4,900 on Clinton Road

**Notes:**



## REQUESTED REZONING: RR TO C1(P)

**ACREAGE: 0.92 AC.+/-**

**HEARING NO: P05-80**

**ORDINANCE: COUNTY**

**HEARING DATE**

**ACTION**

**PLANNING BOARD**

**GOVERNING BOARD**

PORT. OF PIN: 0466-78-8437

AF

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MEMO TO: PLANNING BOARD  
  
FROM: PLANNING STAFF  
  
SUBJECT: STAFF RECOMMENDATIONS  
FOR NOVEMBER 15, 2005

**P05-81:** REZONING OF 1.0 ACRES FROM PND TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, EAST OF RAMSEY STREET, ACROSS FROM ELLIOT BRIDGE ROAD, OWNED BY N & B COMPANY, LLC.

The Planning staff recommends approval of C(P), even though the request is not consistent with the 2010 Land Use Plan, based on the finding that:

1. The property is located on a major thoroughfare;
2. There is existing adjacent C(P) property, and with plan approval, the adjacent PND could be developed as commercial; and
3. Linden water is available.

## **SITE PROFILE**

### **P05-81**

REZONING OF 1.0 ACRES FROM PND TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, EAST OF RAMSEY STREET, ACROSS FROM ELLIOT BRIDGE ROAD, OWNED BY N & B COMPANY, LLC.

#### **Site Information:**

**Applicant/Owner:** N & B COMPANY, LLC.

**Area:** 1.0 acres

**Frontage & Location:** 140 feet on Ramsey Street

**Depth:** 560 feet

**Jurisdiction:** County

**Adjacent Property:** No

**Current Use:** Vacant

**Initial Zoning:** August 21, 1972 (Area 1)

**Zoning Violation(s):** None

**Surrounding Zoning:** North-A1, R40, R15, C(P), East-A1, PND, South-PND, RR and West-PND, R15, C(P)

**Surrounding Land Use:** Gas station and single family residential

**2010 Land Use Plan:** Suburban Density

**Designated 100-Year Floodplain or Floodway:** No Flood

**Watershed Area:** Yes - Watershed Regulations will apply.

**Urban Services Area:** Yes

**Water/Sewer Availability:** Well / Septic - Linden water available

**School Capacity/Enrolled:** Raleigh Road Elementary 250/230, Long Hill Elementary 286/492, Pine Forest Middle 872/861, Pine Forest High 1705/1746

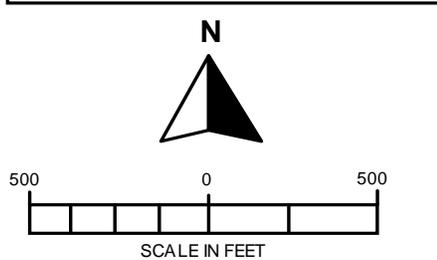
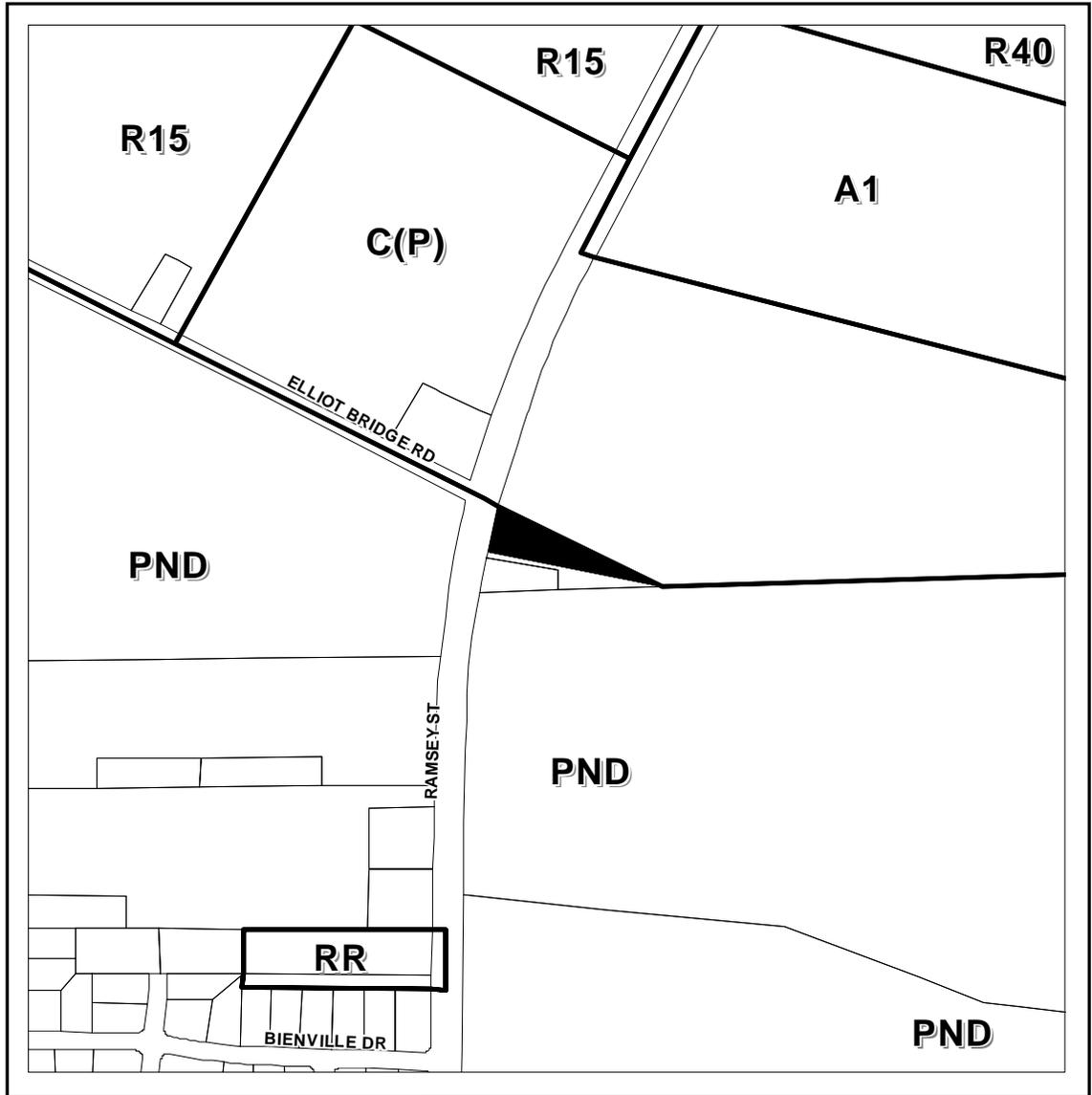
**Subdivisions:** If approved, a Site Plan review and approval will be required.

**Military Impact Area:** Yes

**Highway Plan:** Ramsey Street is identified as a Major Thoroughfare. This is a multi-lane facility with a proposed 230 foot right-of-way. Road improvements are included in the 2006-2012 MTIP. Planning, Design, ROW Acquisition and Construction: Post Years

**Average Daily Traffic Count (2000):** 7,500 on Ramsey Street

**Notes:**



PIN: 0542-59-3512

**REQUESTED REZONING:  
PND TO C(P)**

<b>ACREAGE: 1.00 AC.+/-</b>	<b>HEARING NO: P05-81</b>	
<b>ORDINANCE: COUNTY</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>PLANNING BOARD</b>		
<b>GOVERNING BOARD</b>		

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MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATIONS  
FOR NOVEMBER 15, 2005

**P05-83:** INITIAL ZONING OF 3.256 ACRES TO R6A, ON MCKETHAN STREET, WEST OF DUNN ROAD, SUBMITTED BY THE TOWN OF WADE. (WADE)

The Planning staff recommends approval of R6A based on the findings that:

1. The request is consistent with the Wade Study Area Land Use Plan and with the current zoning in the area; and
2. Norcross utilities are available.

**SITE PROFILE**  
**P05-83**

INITIAL ZONING OF 3.256 ACRES TO R6A, ON MCKETHAN STREET, WEST OF DUNN ROAD, SUBMITTED BY THE TOWN OF WADE. (WADE)

**Site Information:**

**Applicant/Owner:** Town of Wade

**Area:** 3.256 acres

**Frontage & Location:** 690 feet on McKethan Street

**Depth:** 130 feet

**Jurisdiction:** Wade

**Current Use:** Residential

**Zoning Violation(s):** None

**Surrounding Zoning:** North-A1, RR, M(P), East-A1, R40A, R6A, C3, South-R6A, C3 and West-A1, RR, R6A

**Surrounding Land Use:** Churches (2) and single family residential

**Wade Study Area Land Use Plan:** Medium Density Residential

**Designated 100-Year Floodplain or Floodway:** No Flood

**Watershed Area:** Yes - Watershed Regulations will apply.

**Urban Services Area:** Yes

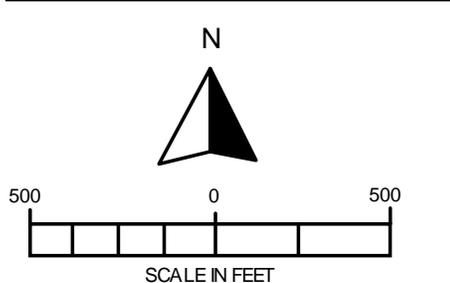
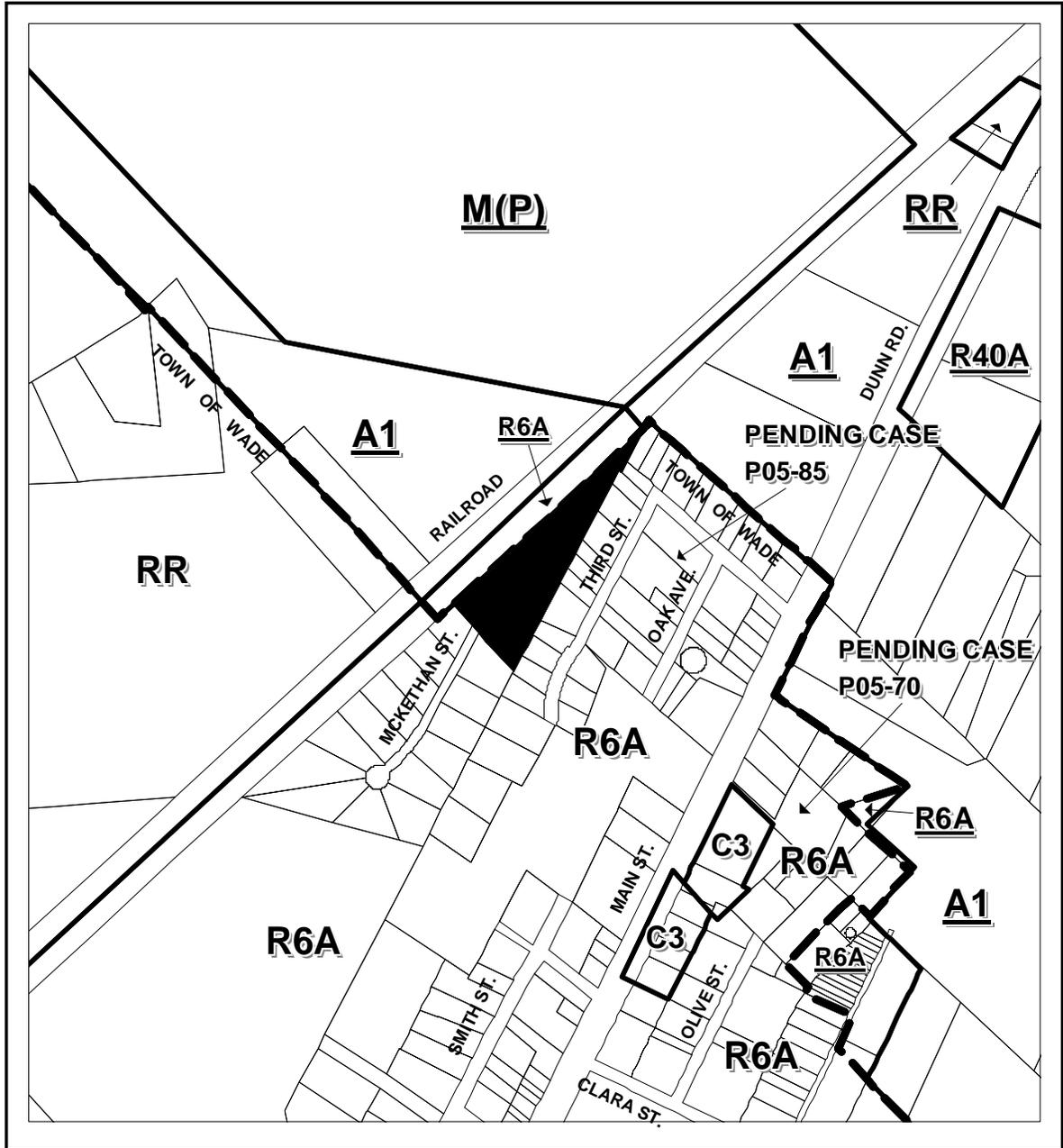
**Water/Sewer Availability:** NORCRESS

**School Capacity/Enrolled:** District 7 Elementary 267/259, Mac Williams Middle 1218/1130, Cape Fear High 1415/1517

**Military Impact Area:** No

**Highway Plan:** No road improvements or new construction are specified for this area.

**Notes:**



<b>INITIAL ZONING: TO R6A</b>		
<b>ACREAGE: 3.25 AC.+/-</b>	<b>HEARING NO: P05-83</b>	
<b>ORDINANCE: WADE</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>PLANNING BOARD</b>		
<b>GOVERNING BOARD</b>		

PIN: 0581-16-7855,5691,5407,4359,4311,3261,2378

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November 10, 2005

MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATIONS  
FOR NOVEMBER 15, 2005

**P05-84:** INITIAL ZONING OF 212.69 ACRES TO R30 AND R15, SOUTH OF RIVER ROAD, NORTHWEST OF POWELL STREET, SUBMITTED BY THE TOWN OF WADE. (WADE)

The Planning staff recommends approval of R30 and R15, except where the CD follows the 100-year Flood, based on the findings that:

1. The request is consistent with the Wade Study Area Land Use Plan; and
2. Norcross utilities are available.

## **SITE PROFILE**

### **P05-84**

INITIAL ZONING OF 212.69 ACRES TO R30 AND R15, SOUTH OF RIVER ROAD, NORTHWEST OF POWELL STREET, SUBMITTED BY THE TOWN OF WADE.  
(WADE)

#### **Site Information:**

**Applicant/Owner:** TOWN OF WADE

**Area:** 212.69 acres

**Frontage & Location:** 4,295 feet on River Road

**Depth:** 2,690 feet

**Jurisdiction:** County

**Current Use:** Residential and Farmland

**Zoning Violation(s):** None

**Surrounding Zoning:** North-CD, A1, East-A1, RR, R15, R6A, M(P), M2, South-A1, R6A and West-CD and A1

**Surrounding Land Use:** Church, sub stations (2), dump site, tower and single family residential

**Wade Study Area Land Use Plan:** Low Density Residential and Open Space

**Designated 100-Year Floodplain or Floodway:** Yes - Special Flood Hazard Area@97 MSL

**Watershed Area:** Yes - Watershed Regulations will apply.

**Urban Services Area:** Yes

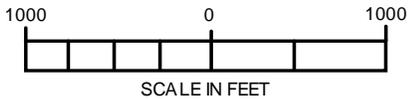
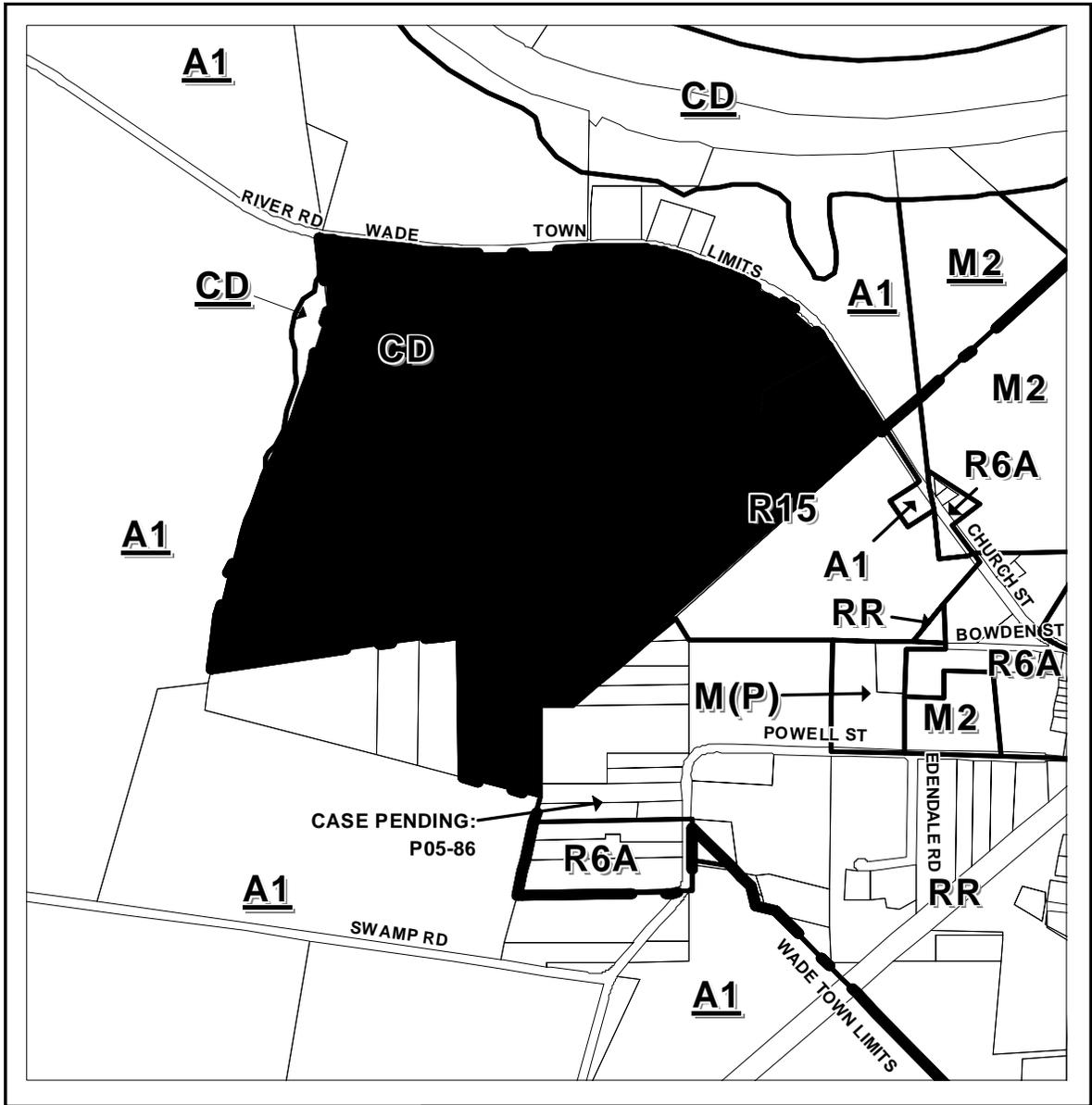
**Water/Sewer Availability:** NORCRESS

**School Capacity/Enrolled:** District 7 Elementary 267/259, Mac Williams Middle 1218/1130, Cape Fear High 1415/1517

**Military Impact Area:** No

**Highway Plan:** River Road is identified as a Major Thoroughfare. The Plan calls for widening to a multi-lane facility. This is a Priority 1 in the LRTP.

**Average Daily Traffic Count (2000):** 430 on River Road



PIN: 0571-65-2950, -46-9224, -44-7444  
 0571-55-4040, -54-2885, -54-1699, -54-1526

**INITIAL ZONING TO**  
 ■ R30 (184.13 AC) & ■ R15 (28.56 AC)

<b>ACREAGE: 212.69 AC.+/-</b>		<b>HEARING NO: P05-84</b>
<b>ORDINANCE: COUNTY</b>	<b>HEARING DATE</b>	<b>ACTION</b>
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**P05-85:** INITIAL ZONING OF 16.66 ACRES TO R6A, NORTH AND SOUTH OF MCKETHAN STREET, WEST OF DUNN ROAD, SUBMITTED BY THE TOWN OF WADE. (WADE)

The Planning staff recommends approval of R6A based on the finding that:

1. The request is consistent with the Wade Study Area Land Use Plan and with the current zoning in the area; and
2. Norcross utilities are available.

## **SITE PROFILE**

### **P05-85**

INITIAL ZONING OF 16.66 ACRES TO R6A, NORTH AND SOUTH OF MCKETHAN STREET, WEST OF DUNN ROAD, SUBMITTED BY THE TOWN OF WADE. (WADE)

#### **Site Information:**

**Applicant/Owner:** TOWN OF WADE

**Area:** 16.66 acres

**Frontage & Location:** 1,050 feet on Dunn Road

**Depth:** 810 feet

**Jurisdiction:** Wade

**Current Use:** Residential

**Zoning Violation(s):** None

**Surrounding Zoning:** North-A1, RR, M(P), East-A1, R40A, R6A, C3, South-A1, R6A, C3 and West-A1, RR, R6A

**Surrounding Land Use:** Cemetery, poor boys, churches (2), commercial business, open storage of junk cars, no name commercial and single family residential

**Wade Study Area Land Use Plan:** Medium Density Residential

**Designated 100-Year Floodplain or Floodway:** No Flood

**Watershed Area:** Yes - Watershed Regulations will apply.

**Urban Services Area:** Yes

**Water/Sewer Availability:** NORCRESS

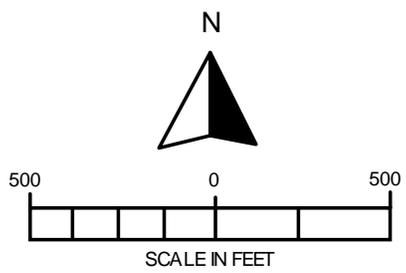
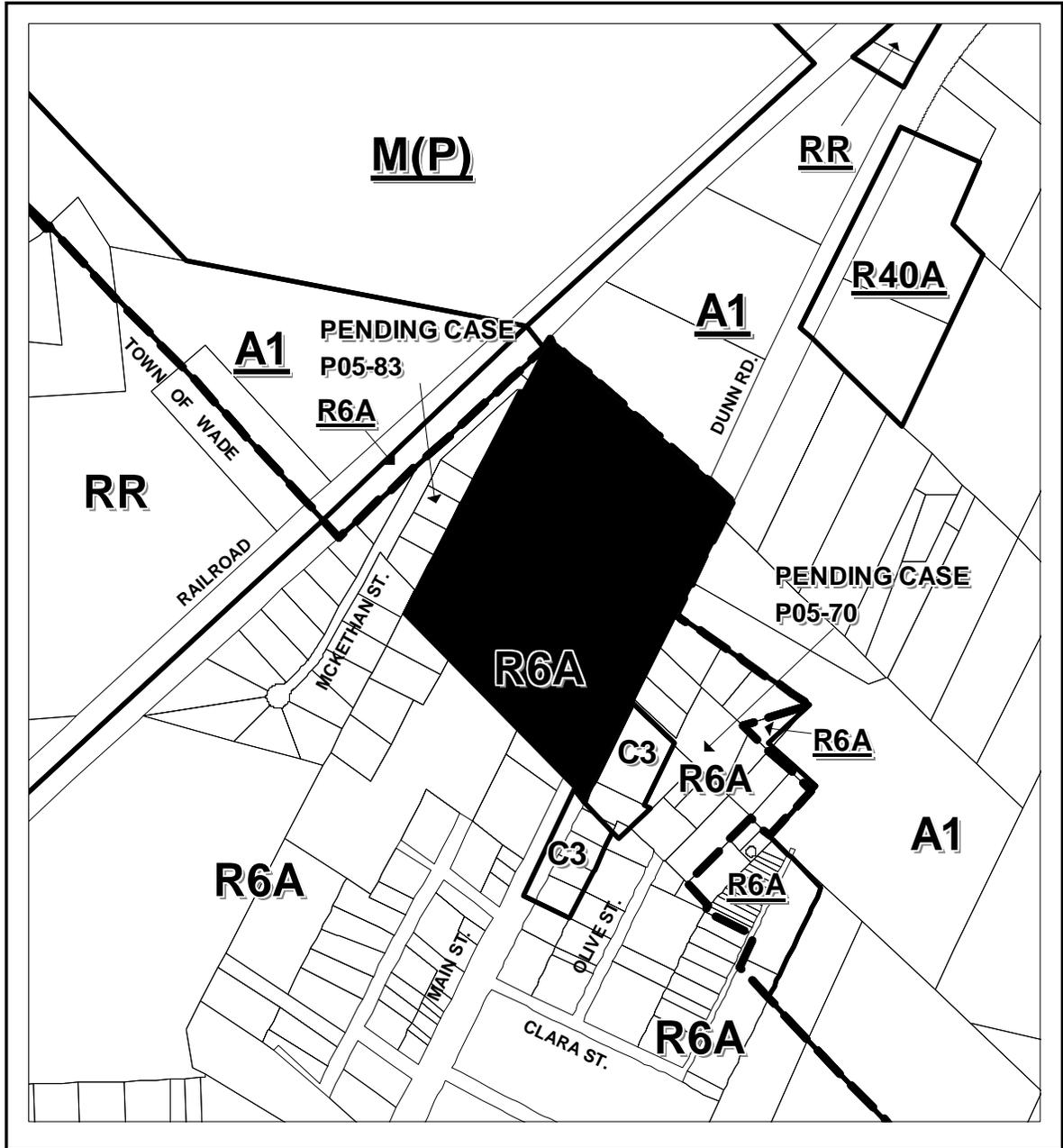
**School Capacity/Enrolled:** District 7 Elementary 267/259, Mac Williams Middle 1218/1130, Cape Fear High 1415/1517

**Military Impact Area:** No

**Highway Plan:** US 301/Dunn Road is identified as a Major Thoroughfare. The Plan calls for widening to a multi-lane facility. This is a Priority 3 in the LRTP.

**Average Daily Traffic Count (2000):** 2,300 on Dunn Road

#### **Notes:**



<b>INITIAL ZONING: TO R6A</b>		
<b>ACREAGE: 16.66 AC.+/-</b>	<b>HEARING NO: P05-85</b>	
<b>ORDINANCE: WADE</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>PLANNING BOARD</b>		
<b>GOVERNING BOARD</b>		

PIN: SEE CASE FILE

AF

Charles C. Morris  
Chair  
Town of Linden

Donovan McLaurin  
Vice-Chair  
Wade, Falcon & Godwin  
Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman



## COUNTY *of* CUMBERLAND

### *Planning and Inspections Department*

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

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

November 10, 2005

MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATIONS  
FOR NOVEMBER 15, 2005

**P05-86:** INITIAL ZONING OF 30.70 ACRES TO RR AND R6A, WEST OF POWELL STREET, NORTH OF SWAMP ROAD, SUBMITTED BY THE TOWN OF WADE. (WADE)

The Planning staff recommends approval of RR and R6A based on the finding that:

1. The request is consistent with the Wade Study Area Land Use Plan and with the current zoning in the area; and
2. Norcross utilities are available.

## **SITE PROFILE**

### **P05-86**

INITIAL ZONING OF 30.70 ACRES TO RR AND R6A, WEST OF POWELL STREET, NORTH OF SWAMP ROAD, SUBMITTED BY THE TOWN OF WADE. (WADE)

#### **Site Information:**

**Applicant/Owner:** TOWN OF WADE

**Area:** 22.47 acres

**Frontage & Location:** 920 feet on Powell Street

**Depth:** 1,000 feet

**Jurisdiction:** Wade

**Current Use:** Residential

**Zoning Violation(s):** None

**Surrounding Zoning:** North-CD, A1, RR, R15, M2, East-RR, R6A, M(P), M2, South and West-A1

**Surrounding Land Use:** Tower and single family residential

**Wade Study Area Land Use Plan:** Low Density Residential and Open Space

**Designated 100-Year Floodplain or Floodway:** No Flood

**Watershed Area:** Yes - Watershed Regulations will apply.

**Urban Services Area:** Yes

**Water/Sewer Availability:** NORCRESS

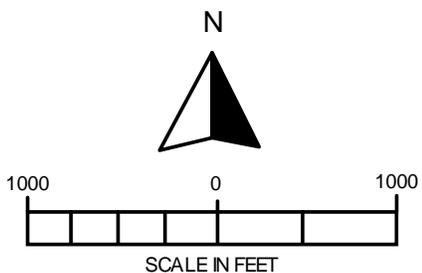
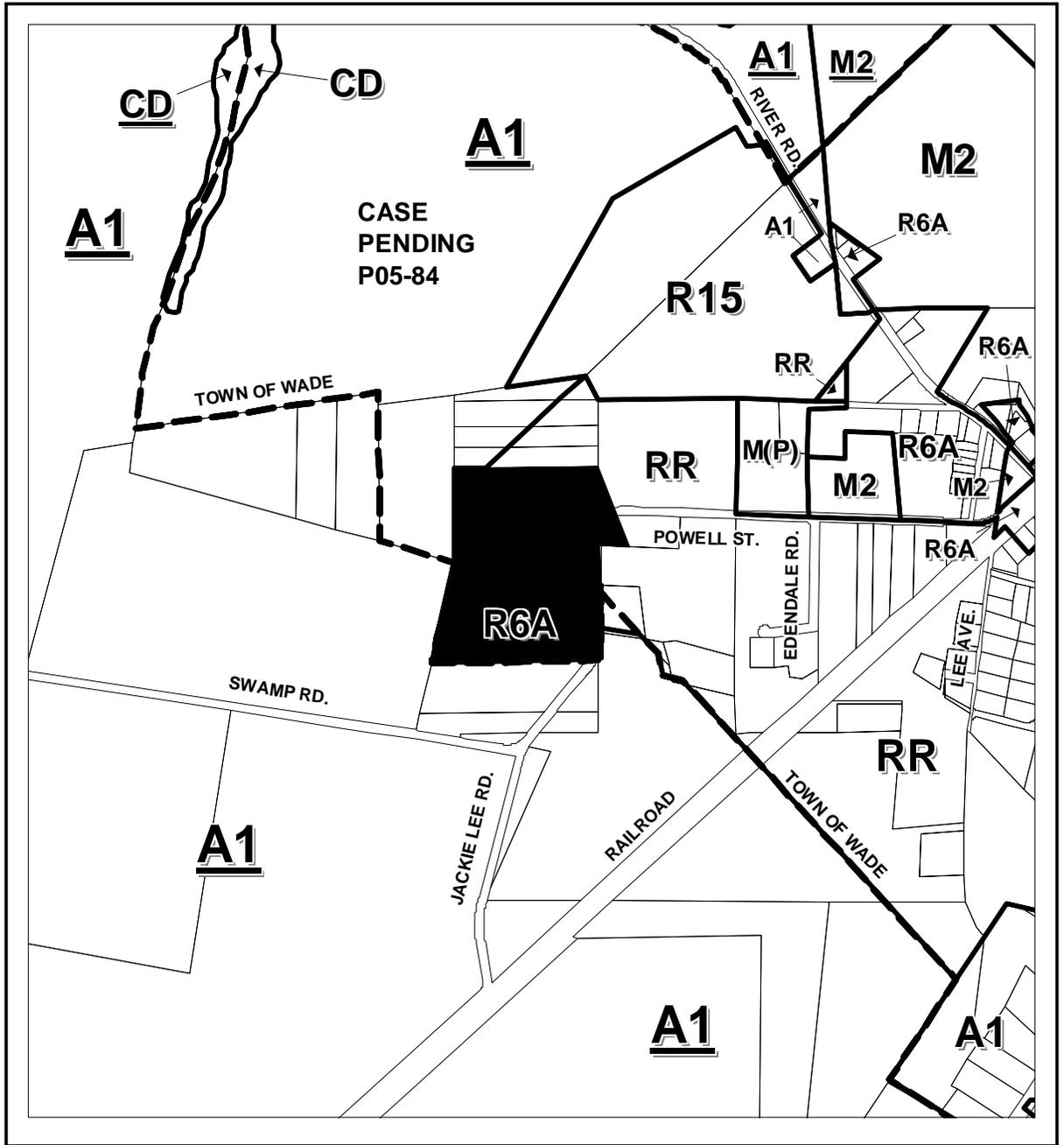
**School Capacity/Enrolled:** District 7 Elementary 267/259, Mac Williams Middle 1218/1130, Cape Fear High 1415/1517

**Military Impact Area:** No

**Highway Plan:** No road improvements or new construction specified for this area.

**Average Daily Traffic Count (2000):** 70 on Powell Street

#### **Notes:**



<b>INITIAL ZONING TO R6A(11.91+/-) &amp; RR(18.79+/-)</b>		
<b>ACREAGE: 30.70 AC.+/-</b>		<b>HEARING NO: P05-86</b>
<b>ORDINANCE: WADE</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>PLANNING BOARD</b>		
<b>GOVERNING BOARD</b>		

PIN: 0571-53-3373,3454,3588,2710,6761,4920  
 PIN: 0571-54-6042,6152,3297

AF

Charles C. Morris  
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Town of Linden

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Sara E. Piland,  
Cumberland County

November 10, 2005

MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATIONS  
FOR NOVEMBER 15, 2005

**P05-87:** INITIAL ZONING OF 20.19 ACRES TO A1, EAST AND WEST OF COVINGTON LANE, NORTH OF I-95, SOUTH OF WADE-STEDMAN ROAD, SUBMITTED BY THE TOWN OF WADE. (WADE)

The Planning staff recommends approval of A1 based on the finding that:

1. The request is consistent with the Wade Study Area Land Use Plan and with the current zoning in the area; and
2. Norcross utilities are available.

## **SITE PROFILE**

### **P05-87**

INITIAL ZONING OF 20.19 ACRES TO A1, EAST AND WEST OF COVINGTON LANE, NORTH OF I-95, SOUTH OF WADE-STEDMAN ROAD, SUBMITTED BY THE TOWN OF WADE. (WADE)

#### **Site Information:**

**Applicant/Owner:** TOWN OF WADE

**Area:** 20.19 acres

**Frontage & Location:** 1,430 feet on Covington Lane

**Depth:** 850 feet

**Jurisdiction:** Wade

**Current Use:** Residential and Vacant

**Zoning Violation(s):** None

**Surrounding Zoning:** North-RR, R6A, O&I(P), C1(P), C3, M2, East-A1, R40A, South-A1, and West-A1, RR, R15, O&I(P)

**Surrounding Land Use:** Town Hall, post office, medical center, sub stations (2), apartments and single family residential

**Wade Study Area Land Use Plan:** Low Density Residential and Office & Institutional

**Designated 100-Year Floodplain or Floodway:** No Flood

**Watershed Area:** Yes - Watershed Regulations will apply.

**Urban Services Area:** Yes

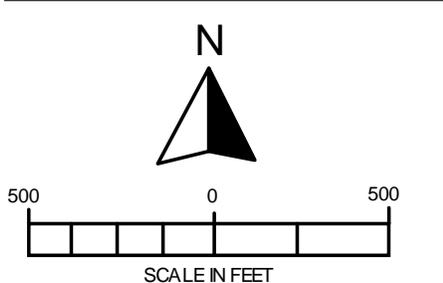
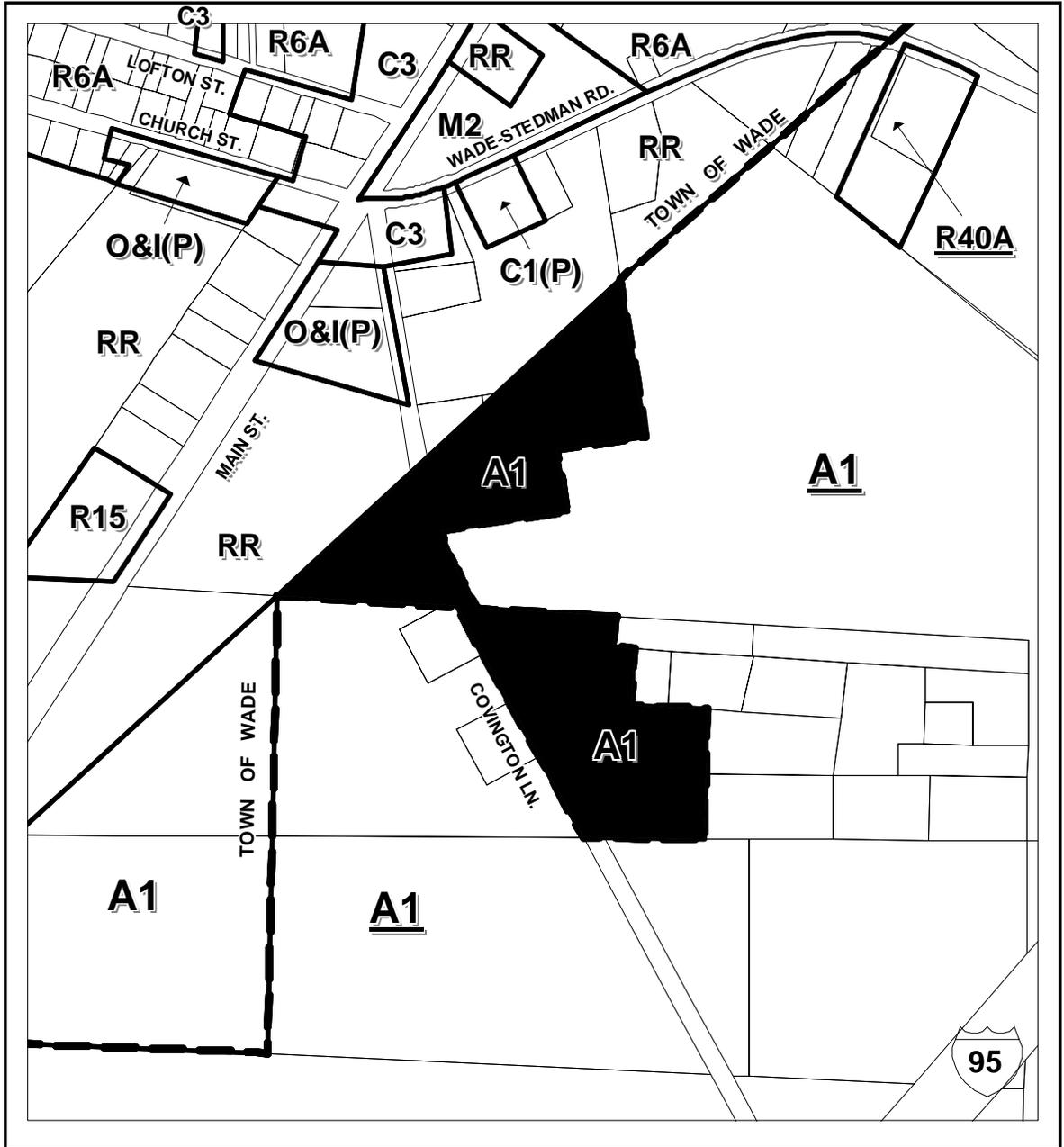
**Water/Sewer Availability:** NORCRESS

**School Capacity/Enrolled:** District 7 Elementary 267/259, Mac Williams Middle 1218/1130, Cape Fear High 1415/1517

**Military Impact Area:** No

**Highway Plan:** No road improvements or new construction specified for this area.

**Notes:**



## INITIAL ZONING TO A1

<b>ACREAGE: 20.19 AC.+/-</b>		<b>HEARING NO: P05-87</b>	
ORDINANCE: WADE	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0581-11-7439,6684,6766,5809,4989,4028  
 PIN: 0581-12-2468,2548,3725  
 PIN: 0581-13-4102 & Port. of Pin: 0581-02-6418

AF

Charles C. Morris  
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Donovan McLaurin  
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Cumberland County

November 10, 2005

MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATIONS  
FOR NOVEMBER 15, 2005

**P05-88:** INITIAL ZONING OF 31.26 ACRES TO A1 AND RR EAST OF MAIN STREET,  
NORTH OF SMITHFIELD ROAD, SUBMITTED BY THE TOWN OF WADE. (WADE)

The Planning staff recommends approval of A1 and RR based on the finding that:

1. The request is consistent with the Wade Study Area Land Use Plan and with the current zoning in the area; and
2. Norcross utilities are available.

## **SITE PROFILE**

### **P05-88**

INITIAL ZONING OF 31.26 ACRES TO A1 AND RR EAST OF MAIN STREET,  
NORTH OF SMITHFIELD ROAD, SUBMITTED BY THE TOWN OF WADE.  
(WADE)

#### **Site Information:**

**Applicant/Owner:** TOWN OF WADE

**Area:** 31.26 acres

**Frontage & Location:** 1,100 feet on Main Street

**Depth:** 400 feet

**Jurisdiction:** County

**Current Use:** Residential and Farmland

**Zoning Violation(s):** None

**Surrounding Zoning:** North-RR, R15, R5A, O&I(P), C1(P), C3, M2, East-A1, RR,  
South-A1, R40A, RR, and West-A1, RR, RR/CUO

**Surrounding Land Use:** Town Hall, post office, substations (2), medical center,  
apartments, hair salon and single family residential

**Wade Study Area Land Use Plan:** Low Density Residential and Open Space

**Designated 100-Year Floodplain or Floodway:** No Flood

**Watershed Area:** Yes - Watershed Regulations will apply.

**Urban Services Area:** Yes

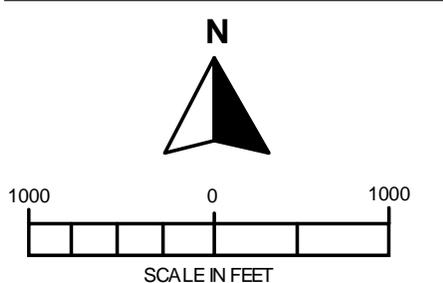
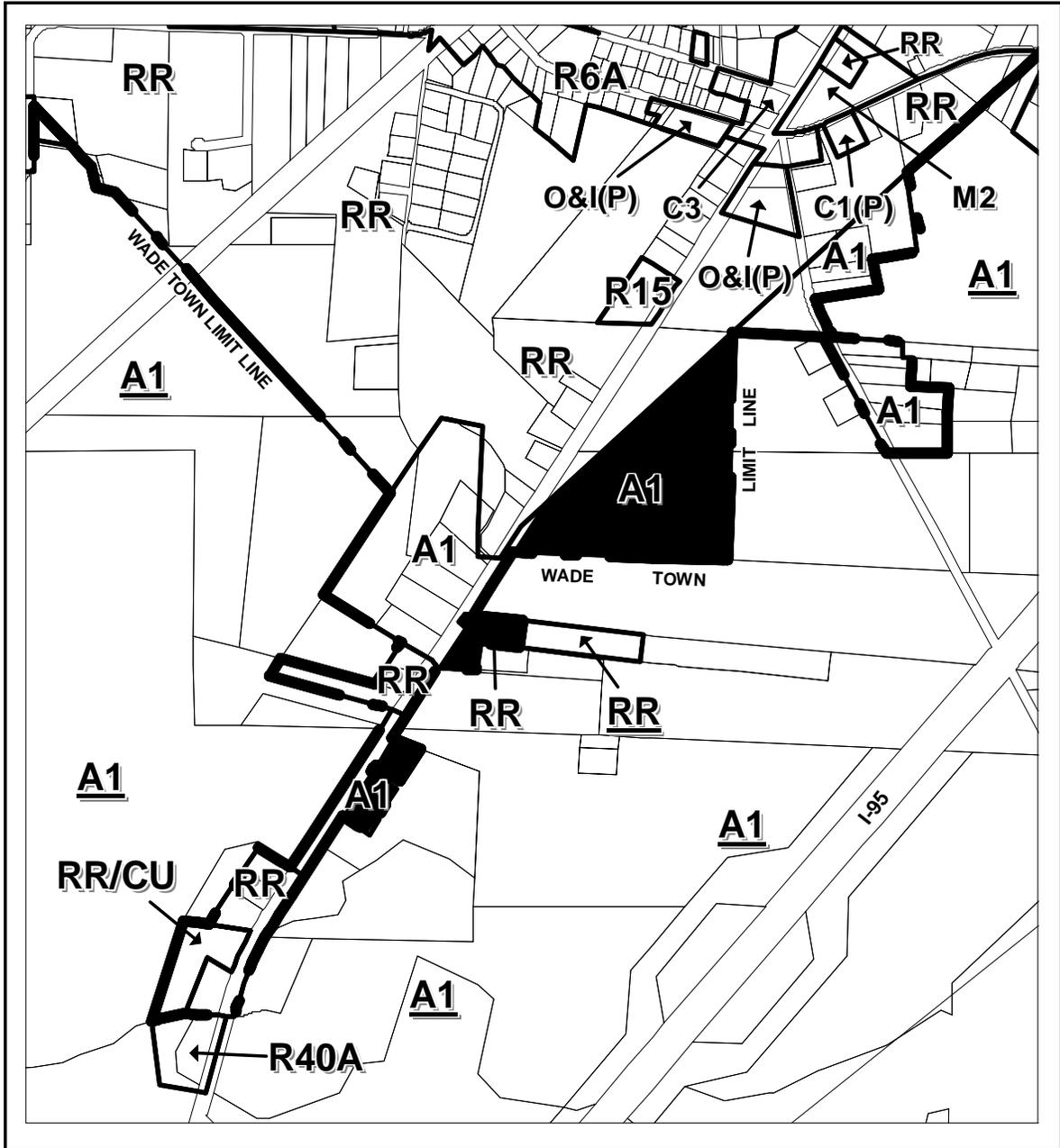
**Water/Sewer Availability:** PWC / PWC

**School Capacity/Enrolled:** District 7 Elementary 267/259, Mac Williams Middle  
1218/1130, Cape Fear High 1415/1517

**Military Impact Area:** No

**Highway Plan:** US 301/Dunn Road is identified as a Major Thoroughfare. The Plan  
calls for widening to a multi-lane facility. This is a Priority 3 in the LRTP.

#### **Notes:**



<b>INITIAL ZONING TO</b>		
<b>■ A1 (29.87 AC) &amp; ■ RR (1.39 AC)</b>		
<b>ACREAGE: 31.26 AC.+/-</b>		<b>HEARING NO: P05-88</b>
<b>ORDINANCE: WADE</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>PLANNING BOARD</b>		
<b>GOVERNING BOARD</b>		

PIN: 0571-80-9272, -80-7055,  
 PORT. PIN: 0581-01-1725, -91-9003, 0570-89-3338, -89-1175, -88-0081

SP

Charles C. Morris  
Chair  
Town of Linden

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Cumberland County

November 10, 2005

MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATIONS  
FOR NOVEMBER 15, 2005

**P05-89:** REZONING OF A 9.69 ACRE PORTION OF A 75.68 ACRE TRACT FROM R10 TO R5A OR TO A MORE RESTRICTIVE ZONING DISTRICT, ON THE SOUTH SIDE OF HOPE MILLS BYPASS, NORTHWEST OF CAMDEN ROAD, SUBMITTED BY SOUTH WOODLANDS PROPERTIES, LLC, OWNED BY KATHERINE MCGEACHY WARD, ANN WARREN, JOSEPH NEIL ET. AL.

The Planning staff recommends approval of R5A based on the finding that:

1. PWC water and sewer are available;
2. The subject property is located on a major thoroughfare; and
3. The proposed development meets the criteria for the zoning classification and is consistent with the 2010 Land Use Plan.

R6 and R5 could also be suitable at this location.

## **SITE PROFILE**

### **P05-89**

REZONING OF A 9.69 ACRE PORTION OF A 75.68 ACRE TRACT FROM R10 TO R5A OR TO A MORE RESTRICTIVE ZONING DISTRICT, ON THE SOUTH SIDE OF HOPE MILLS BYPASS, NORTHWEST OF CAMDEN ROAD, SUBMITTED BY SOUTH WOODLANDS PROPERTIES, LLC, OWNED BY KATHERINE MCGEACHY WARD, ANN WARREN, JOSEPH NEIL ET. AL.

#### **Site Information:**

**Applicant/Owner:** SOUTH WOODLANDS PROPERTIES, LLC / KATHERINE MCGEACHY WARD, ANN WARREN, JOSEPH NEIL ET. AL.

**Area:** 9.69 acres

**Frontage & Location:** 280 feet on Hope Mills Bypass

**Depth:** 370 feet

**Jurisdiction:** County

**Adjacent Property:** No

**Current Use:** Vacant

**Initial Zoning:** November 17, 1975 (Area 4)

**Zoning Violation(s):** None

**Surrounding Zoning:** North-RR, R10, R6A, East-RR, RR/CU, R20, R10, R6, R6A, C3, South-R10, R6A, and West-RR, R10, R6A, C(P)

**Surrounding Land Use:** Manufactured home parks (3), vacant commercial and single family residential

**2010 Land Use Plan:** Low Density Residential

**Designated 100-Year Floodplain or Floodway:** Yes-will not affect the area to be rezoned.

**Urban Services Area:** Yes

**Water/Sewer Availability:** PWC / PWC

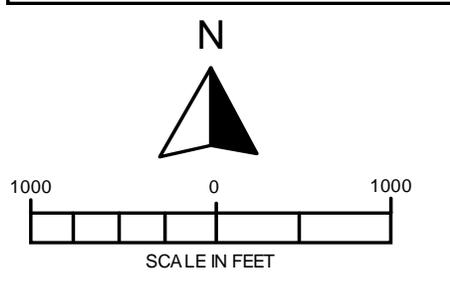
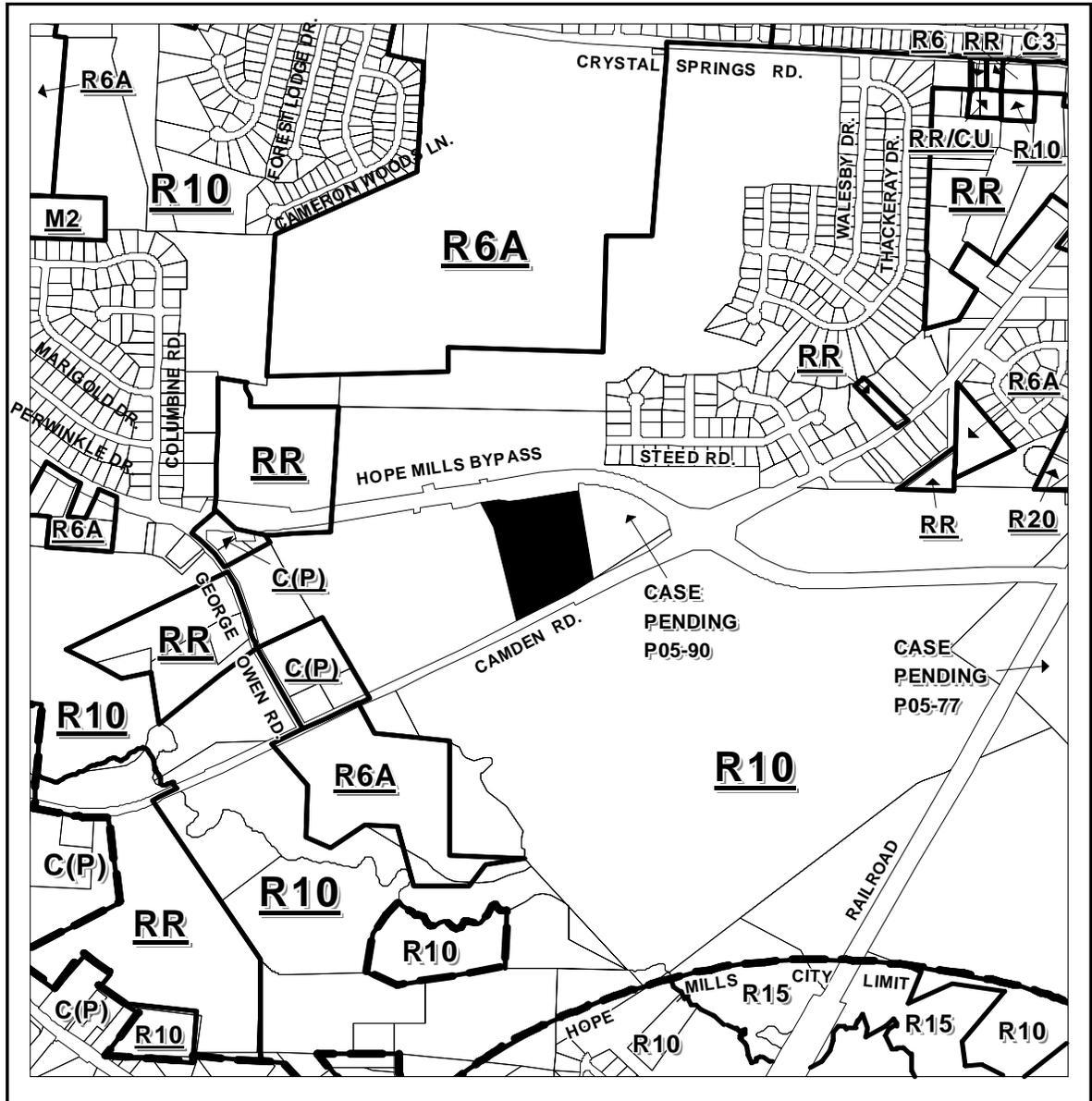
**School Capacity/Enrolled:** Cumberland Mills Elementary 567/605, Hope Mills Middle 624/720, South View High 1715/1833

**Subdivisions:** Subdivision and/or Group Development will be required prior to permits.

**Military Impact Area:** No

**Highway Plan:** Camden Road is identified as a Major Thoroughfare. This is a multi-lane facility with a current 60 foot right-of-way, 110 foot proposed. Road improvements are included in the 2006-2012 MTIP. Planning-completed, Design-in progress, ROW Acquisition-FFY 06, Construction-post year. Hope Mills Road Bypass is identified as part of a Major Thoroughfare with a current 130 foot right-of-way. Road improvements are included in the 2006-2012 MTIP. Planning, Design, ROW Acquisition-Completed, Construction-under construction.

#### **Notes:**



<b>REQUESTED REZONING: R10 TO R5A</b>		
ACREAGE: 9.69 AC.+/-		HEARING NO: P05-89
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PORT OF PIN: 0415-31-8668

AF

**Charles C. Morris**  
Chair  
Town of Linden

**Donovan McLaurin**  
Vice-Chair  
Wade, Falcon & Godwin  
Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman



**COUNTY of CUMBERLAND**

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Director  
**Thomas J. Lloyd,**  
Deputy Director

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

November 10, 2005

MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATIONS  
FOR NOVEMBER 15, 2005

**P05-90:** REZONING OF A 10.41 ACRE PORTION OF A 75.68 ACRE TRACT FROM R10 TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT THE NORTH AND WEST QUADRANTS OF HOPE MILLS BYPASS AND CAMDEN ROAD, SUBMITTED BY SOUTH WOODLANDS PROPERTIES, LLC, OWNED BY KATHERINE MCGEACHY WARD, ANN WARREN, JOSEPH NEIL ET. AL.

The Planning staff recommends approval of C(P), even though the request is not consistent with the 2010 Land Use Plan, based on the finding that:

1. Public water and sewer is available, and connection to public utilities will be required upon development;
2. The Hope Mills Bypass is currently under construction; and
3. Site plan review would be desirable at this location.

## SITE PROFILE

### P05-90

REZONING OF A 10.41 ACRE PORTION OF A 75.68 ACRE TRACT FROM R10 TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT THE NORTH AND WEST QUADRANTS OF HOPE MILLS BYPASS AND CAMDEN ROAD, SUBMITTED BY SOUTH WOODLANDS PROPERTIES, LLC, OWNED BY KATHERINE MCGEACHY WARD, ANN WARREN, JOSEPH NEIL ET. AL.

#### **Site Information:**

**Applicant/Owner:** SOUTH WOODLANDS PROPERTIES, LLC / KATHERINE MCGEACHY WARD, ANN WARREN, JOSEPH NEIL ET. AL.

**Area:** 10.41 acres

**Frontage & Location:** 800 feet on Hope Mills Bypass

**Depth:** 600 feet

**Jurisdiction:** County

**Adjacent Property:** No

**Current Use:** Vacant

**Initial Zoning:** November 17, 1975 (Area 4)

**Zoning Violation(s):** None

**Surrounding Zoning:** North-RR, R10, R6A, East-RR, R20, R6A, C(P), South-R15, R10, R6A, Hope Mills City limit, and West-RR, R10, R6A, C(P)

**Surrounding Land Use:** Day cares (2), manufactured home park and single family residential

**2010 Land Use Plan:** Low Density Residential

**Designated 100-Year Floodplain or Floodway:** Yes-will not affect the area to be rezoned.

**Urban Services Area:** Yes

**Water/Sewer Availability:** PWC / PWC

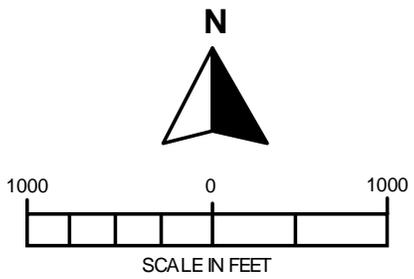
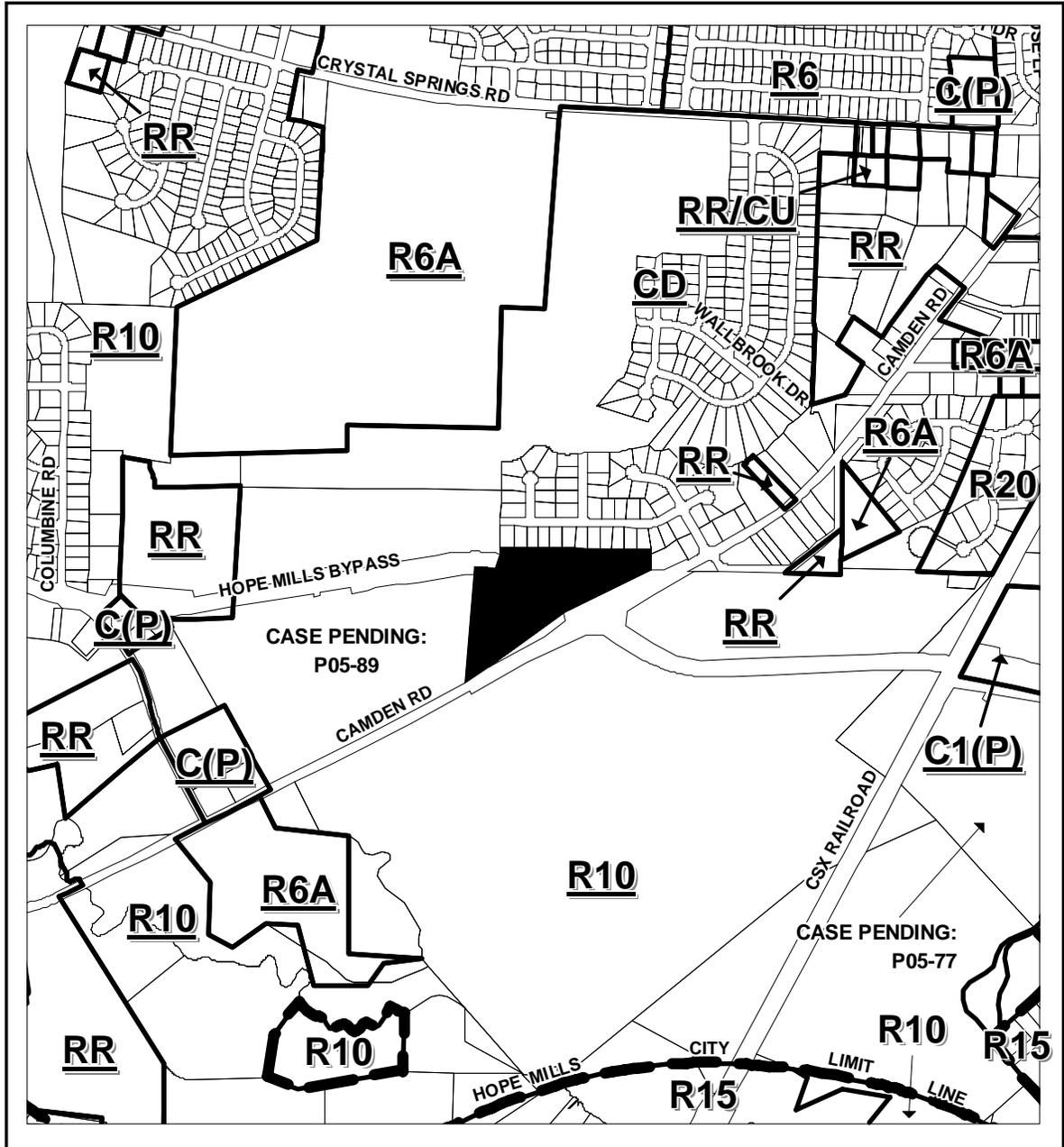
**School Capacity/Enrolled:** Cumberland Mills Elementary 567/605, Hope Mills Middle 624/720, South View High 1715/1833

**Subdivisions:** Subdivision and/or Group Development will be required prior to permits.

**Military Impact Area:** No

**Highway Plan:** Camden Road is identified as a Major Thoroughfare. This is a multi-lane facility with a current 60 foot right-of-way, 110 foot proposed. Road improvements are included in the 2006-2012 MTIP. Planning-completed, Design-in progress, ROW Acquisition-FFY 06, Construction-post year. Hope Mills Road Bypass is identified as part of a Major Thoroughfare with a current 130 foot right-of-way. Road improvements are included in the 2006-2012 MTIP. Planning, Design, ROW Acquisition-Completed, Construction-under construction.

#### **Notes:**



**REQUESTED REZONING:  
R10 TO C(P)**

<b>ACREAGE: 10.41 AC.+/-</b>		<b>HEARING NO: P05-90</b>
<b>ORDINANCE: COUNTY</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>PLANNING BOARD</b>		
<b>GOVERNING BOARD</b>		

PIN: 0415-31-8668

SP

Charles C. Morris  
Chair  
Town of Linden

Donovan McLaurin  
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Wade, Falcon & Godwin  
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Harvey Cain, Jr.,  
Town of Stedman



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Sara E. Piland,  
Cumberland County

November 10, 2005

MEMO TO: PLANNING BOARD  
FROM: PLANNING STAFF  
SUBJECT: STAFF RECOMMENDATIONS  
FOR NOVEMBER 15, 2005

**P05-91:** REZONING OF .21 ACRES FROM R6A TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, EAST OF LILLINGTON HIGHWAY, SOUTH OF CHAPEL HILL ROAD, SUBMITTED BY ROBERT M. BENNETT, OWNED BY LARONDA GORE FREEMAN AND ARTHUR FREEMAN. (SPRING LAKE)

The Planning staff recommends approval of C(P) based on the finding that:

1. This request is consistent with the Spring Lake Area Detailed Land Use Plan, which calls for planned commercial development at this location;
2. Spring Lake utilities are available;
3. Recombination will be required in order to make this a viable building lot; and
4. Site plan review is desirable at this location.

**SITE PROFILE**  
**P05-91**

REZONING OF .21 ACRES FROM R6A TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, EAST OF LILLINGTON HIGHWAY, SOUTH OF CHAPEL HILL ROAD, SUBMITTED BY ROBERT M. BENNETT, OWNED BY LARONDA GORE FREEMAN AND ARTHUR FREEMAN. (SPRING LAKE)

**Site Information:**

**Applicant/Owner:** ROBERT M. BENNETT / LARONDA GORE FREEMAN AND ARTHUR FREEMAN

**Area:** .21 acres

**Frontage & Location:** 40 feet on Lillington Highway

**Depth:** 245 feet

**Jurisdiction:** Spring Lake

**Adjacent Property:** Yes

**Current Use:** Vacant

**Zoning Violation(s):** None

**Surrounding Zoning:** North-County Limits, C(P), East-R10, R6A, R5A, C(P), South-R6A, R5A, C1, C(P), C3, County Limits and West-R10, R5A, C3

**Surrounding Land Use:** Duplex, nursery/greenhouse, shopping center, condominiums, real estate office, open storage of junk cars (2) and single family residential

**Spring Lake Area Land Use Plan:** Planned Commercial

**Urban Services Area:** Yes

**Water/Sewer Availability:** Spring Lake utilities

**School Capacity/Enrolled:** Lillian Black Elementary 302/255, Spring Lake Middle 644/514, Pine Forest High 1705/1746

**Subdivisions:** A Recombination will be required if to be used in conjunction with the florist, a Site Plan review will be required, if approved.

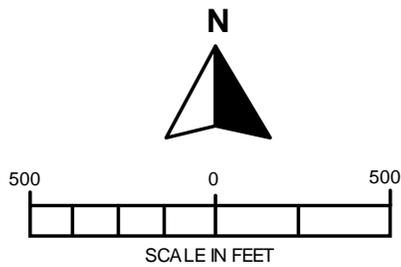
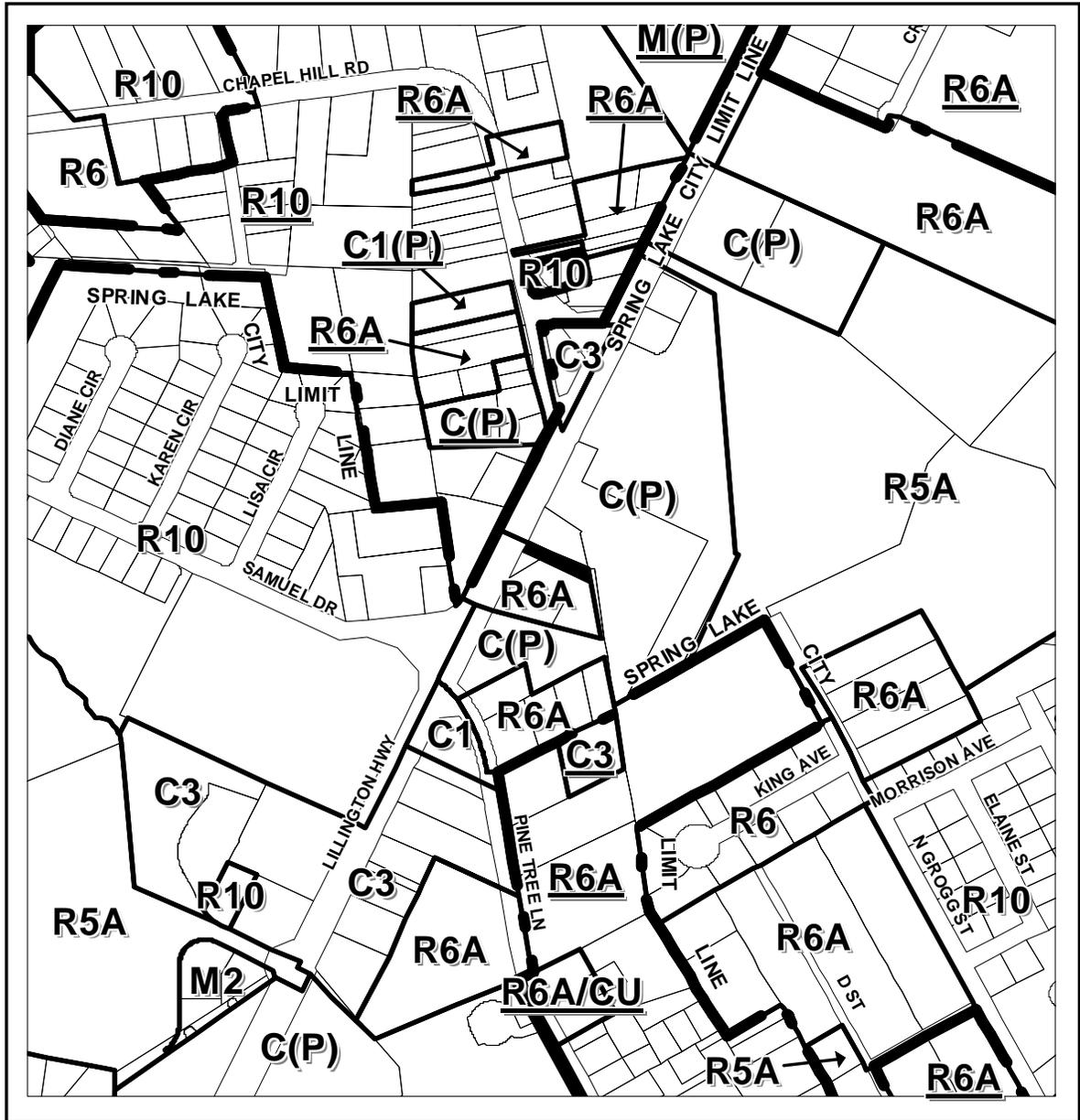
**NAPZ (Ft Bragg/Pope AFB):** Within the 1-mile buffer area

**Military Impact Area:** Yes

**Highway Plan:** No road improvements or new construction specified for this area.

**Average Daily Traffic Count (2000):** 14,000 on Lillington Highway

**Notes:**



## REQUESTED REZONING: R6A TO C(P)

<b>ACREAGE: 0.21 AC.+/-</b>	<b>HEARING NO: P05-91</b>	
<b>ORDINANCE: SPRING LAKE</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>PLANNING BOARD</b>		
<b>GOVERNING BOARD</b>		

PIN: 0512-00-3406

SP

Charles C. Morris  
Chair  
Town of Linden

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Town of Stedman



## COUNTY of CUMBERLAND

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Sara E. Piland,  
Cumberland County

November 4, 2005

#### MEMORANDUM

TO: Planning Board

FROM: Edward M. Byrne, Planner II

SUBJECT: Case No. 05-174  
Legion Crossing Apartments  
(Subdivision & Group Development Review)

The developer submitted a requested for relief from condition #30 requiring interconnectivity between developments. The Planning Staff required the developer to provide lateral access to the Crosswinds Green apartment complex at the location of building number 3 as a condition of approval for that development. The Crosswinds Green apartment complex was required to stub at this same location in 2000 (see case:00-202 conditions). The property is zoned R5 Residential district, contains 3.98 acres and has 110 proposed units.

The developer does not want to connect to the adjacent property to limit the amount of traffic that may be increased by the connection.

The Planning Staff recommends **denial** of the developers' request for relief from the condition requiring interconnectivity based on the following:

1. The Planning Staff encourages interconnectivity through lateral access between multi-family developments thus allowing for traffic movement within the developments, to lessen the impact of 'stop and go' traffic on a major or minor thoroughfare.
2. The requirement for interconnectivity is also one of the air quality strategies.
3. That one of the conditions of approval for the adjacent development was a requirement to stub to this property for future lateral access to this development.
4. The purpose of the subdivision ordinance is to promote the orderly development and to ensure the public health, safety and general welfare the community.

#### Attachments

cc: Legion Crossing Apartments, LTD, Developer  
Harvey Allen, Surveyor  
Grainger Barrett, County Attorney  
Patricia Speicher, Supervisor, Land Use Codes

**ALLEN-ALLEN & ASSOCIATES of N.C., P.A.**

Engineers, Land Planners & Surveyors

136D Bow Street  
Fayetteville, N.C. 28301

(910) 437-9800 (Phone)  
(910) 486-9923 (Fax)

Ms. Patti Speicher  
Supervisor, Land Use Codes  
Planning & Inspections Department  
130 Gillespie Street  
Fayetteville, NC 28302-1829

Date: October 18, 2005

**RE: Legion Crossing Apartments**

Dear Patti:

Per our conversations of 10/14/05 and 10/17/05, we are asking for a waiver from Item 30. of the subject Conditions of Approval.

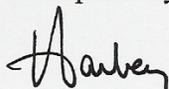
As you know, these projects are financed and dictated by the North Carolina Housing Authority and other Housing agencies, Local, State and Federal. Since the various projects are financed by potential different combinations of Agencies, they certainly do not wish, in most cases, to have interconnecting complexes. Some of these developments are for single families residences and some are for elderly residences.

Additionally, it is believed that the increased traffic between complexes, will only increase the chance of accidents, as small children may be playing/walking in the parking/travel ways.

The developer, Legion Crossing Associates Ltd. Partnership, does is not opposed to placing crosswalks (one (1) or two (2)) between the two (2) sites, Legion Crossing Apartments and Crossings Green Apartments.

Should you have any questions, please call.

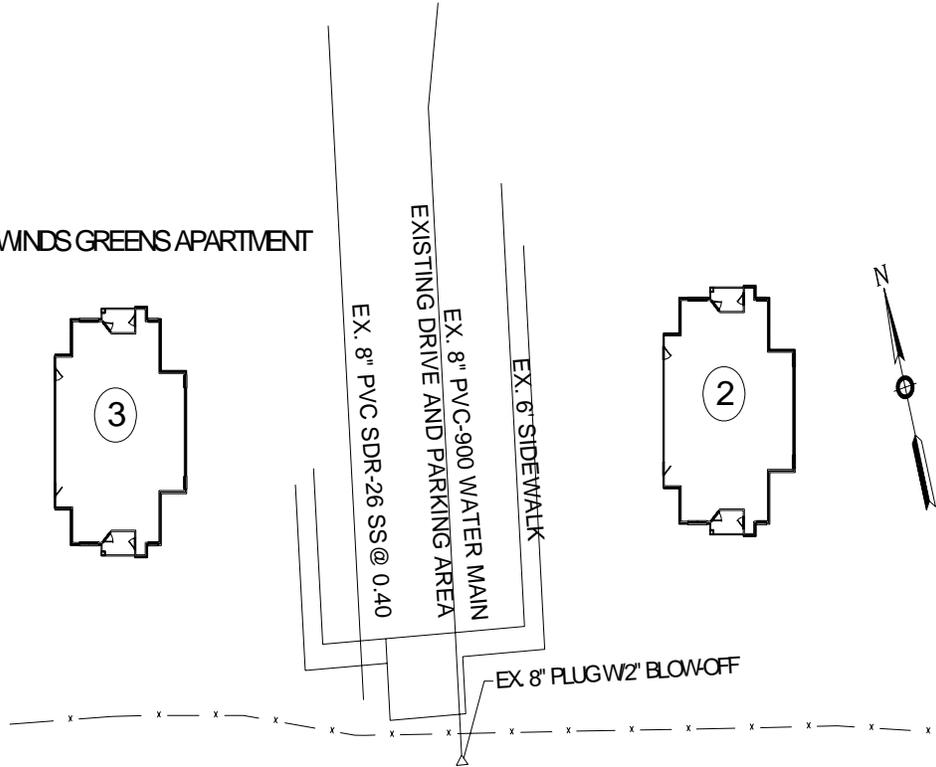
Respectfully:



Harvey Allen

TOWN ST.

CROSSWINDS GREENS APARTMENT



UTILITY EASEMENT

TYPE-B  
4-2-BR  
FFE: 217.90

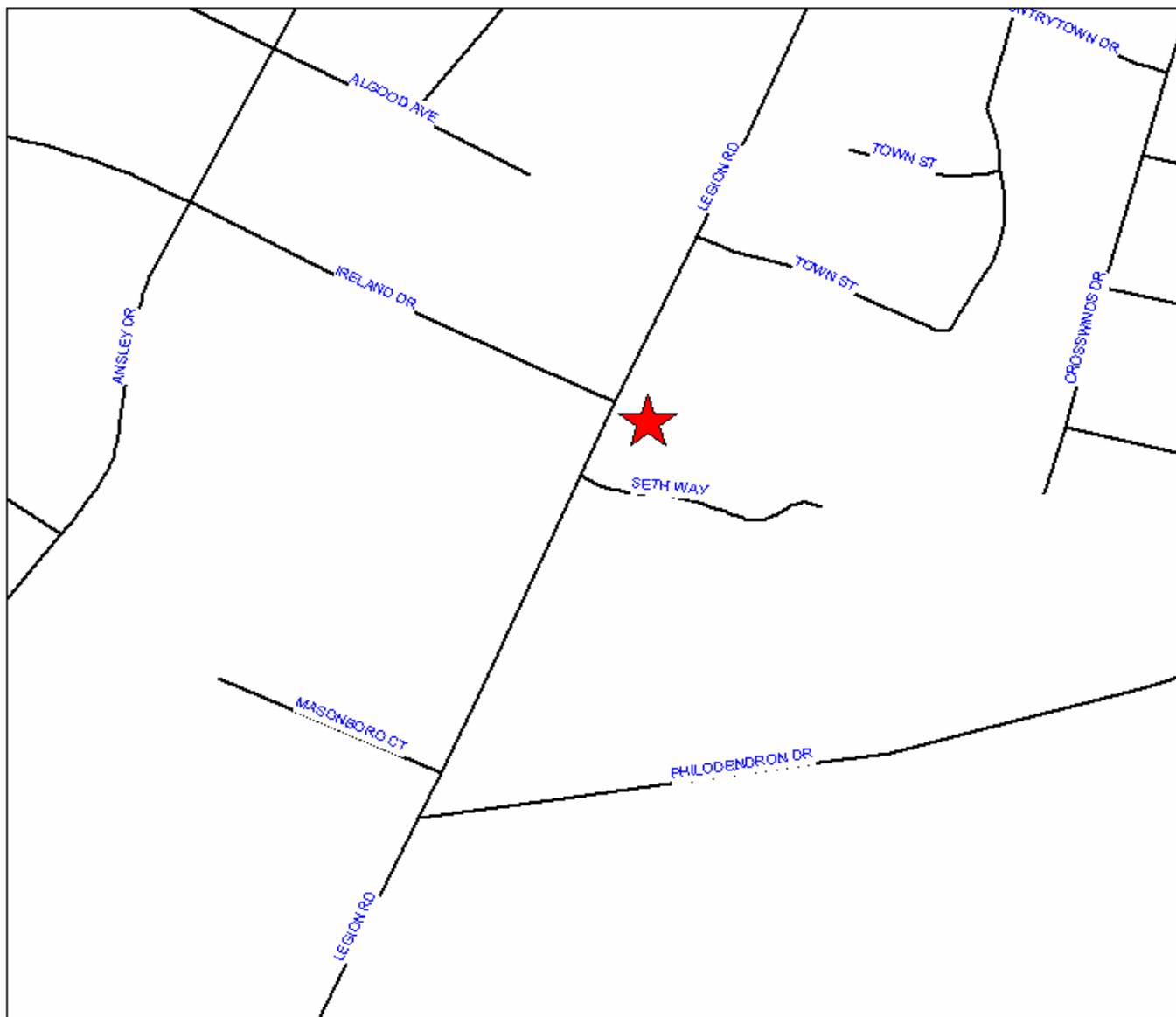
2

IRELAND DR.

LEGION CROSSING APARTMENTS

# LEGION CROSSING APARTMENTS GROUP DEVELOPMENT REVIEW

CASE NO. 05-174



PIN: 0425-33-8186  
PREPARED BY ARN - CCJPB  
SEPTEMBER 23, 2005

Map not to scale



Charles C. Morris  
Chair  
Town of Linden

Donovan McLaurin  
Vice-Chair  
Wade, Falcon & Godwin  
Joe W. Mullinax,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman



# COUNTY of CUMBERLAND

## Planning and Inspections Department

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

Clifton McNeill, Jr.,  
Roy Turner,  
Dr. Marion Gillis-Olson,  
Lori Epler,

Cumberland County

PLANNING STAFF DECISION: 10-6-05 PLANNING BOARD DECISION: 11-1505 N/A COUNTY OR COUNCIL MEETING:

CASE NO: 05-174 NAME OF DEVELOPMENT: LEGION CROSSING APARTMENTS  
SUBDIVISION & GROUP DEVELOPMENT REVIEW

LOCATION: ON THE EAST SIDE OF LEGION RD (SR 1132), NORTH OF SETH WAY,  
ZONING: R5

AND AT THE EAST END OF IRELAND DR (SR 3301) PIN: 0425-33-8186  
OWNER OR DEVELOPER: LEGION CROSSING APARTMENTS LTD ENGINEER OR DESIGNER: HARVEY ALLEN

COUNTY FALCON ORDINANCE  GODWIN ORDINANCE  STEDMAN ORDINANCE  SPRING LAKE ORDINANCE

PLANNING DEPARTMENT ACTION BOARD	PLANNING BOARD	ACTION	TOWN
<input checked="" type="checkbox"/> PRELIMINARY PRELIMINARY <input type="checkbox"/> FINAL	<input checked="" type="checkbox"/> PRELIMINARY		<input type="checkbox"/>
<input type="checkbox"/> EXTENSION EXTENSION <input type="checkbox"/> REVISION	REVISION <input type="checkbox"/> EXTENSION <input type="checkbox"/>	REVISION	<input type="checkbox"/>
<input checked="" type="checkbox"/> APPROVED CONDITIONALLY CONDITIONALLY	<input type="checkbox"/> APPROVED CONDITIONALLY	<input type="checkbox"/> APPROVED	
<input type="checkbox"/> DENIED	<input type="checkbox"/> DENIED	<input type="checkbox"/> DENIED	

### CONDITIONS OF APPROVAL:

1. That the Public Works Commission approves water and sewer plans prior to application for any permits.
2. That applicant is advised that an expert on wetlands should be consulted before proceeding with any development.

3. That the owner(s)/developer(s) of these lots obtain detailed instructions on permits required to place a structure within this development from the Code Enforcement Section at 130 Gillespie Street, Room 106. The Code Enforcement Section will need a copy of this approved condition sheet and map for additional information or the developer should call a Code Enforcement Office at 321-6643.
4. That at a minimum a zoning permit is required prior to the placement of any structure on any portion of this development.
5. That no occupancy permit be issued until the Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.
6. That a site-specific address and tax parcel number be provided at the time of building/zoning permit application.
7. That the developer provides the Code Enforcement Section with an approved state sedimentation and erosion control plan prior to any application for permits.
8. That the signage for this development shall be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) shall 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.
9. That all uses and setbacks be compatible with those permitted in the R5 zoning classification.
10. That all applicable portions of Section 3.20, Lot Standards, and Section 3.21 “Group Development”, of the County Subdivision Ordinance be complied with.
11. That street name signs, in compliance with the Cumberland County Street Sign Specifications, shall be installed prior to permits being issued. The developer is responsible for contacting 678-7665, once the street name sign(s) are installed, to schedule an inspection of said sign(s) and notice of a satisfactory inspection must be received by Land Use Codes prior to the approval of the final plat.
12. That Ireland Dr also shall be labeled as SR 3301 on the final plat/all future plats/plans.
13. That the developer shall reserve 10 feet of right-of-way along SR 1132 (Legion Road) and that metes and bounds for reservation of right-of-way be shown on the final plat. That all building setback lines are to be measured from the ultimate right-of-way line.
14. That Sections 4.1.c, “Curb and Gutters”, 4.1.d, “Required Drainage”, 4.1.e, “Sidewalks”, and 4.3.g, “Fire Hydrants”, and 4.3.h “Underground Utilities”, of the Cumberland County Subdivision Ordinance must be adhered to.
15. That the final plat must be submitted to the Land Use Codes Section for review and approval for recording; and that the plat must be recorded prior to any permit

application on any structure and/or prior to the sale of any lot or unit in this development.

16. That any/all easements appear on the final plat.
17. That all structures shall be shown on the final plat or that the final plat shall reflect the following statement:

“Nonconforming structures have not been created by this subdivision.”
18. That notarized owners’ signature(s) and certifications appear on the final plat prior to approval.
19. That the developer needs to obtain a curbcut permit from the NC Department of Transportation.
20. Turn lanes may be required by NCDOT.
21. That a 10’ x 70’ sight distance easement shall be required at the intersection of Legion Rd (SR 1132) and Ireland Dr (SR 3301) and this easement shall be reflected on the final plat.
22. That a 25’ right-of-way radius shall be required at the intersection.
23. That all lighting shall be directed internally to the property and shall meet the standards of Section 1102.M, Outdoor Lighting, Cumberland County Zoning Ordinance.
24. That a solid buffer in accordance with Section 1102.G., Cumberland County Zoning Ordinance, be complied with along the eastern property line.
25. That all dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
26. That all required parking spaces shall be a minimum of 9’ X 20’ and shall be surfaced and striped with a permanent material such as asphalt or concrete.
27. That the developer be aware that any addition or revision to this site plan shall require an additional review and approval by the Planning & Inspections Department.
28. That the owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include insuring 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.
29. That the internal drive shall be labeled Ireland Dr on all future plats/plans.
- 30. That five copies of a revised plan be submitted relocating/redesigning the location of Building No. 2 and that the drive from the adjacent Crosswinds**

**Greens development, Buildings No. 2 and 3, be extended to interconnect these two developments. (Note: the condition was a requirement for approval of Case No. 00-202, Crosswinds Greens)**

31. That the revised plan required above also reflect the typical information for the proposed structures, i.e., building footprint square footage, number of stories, height of buildings, etc.
32. The developer has requested a relief from condition # 30 requiring interconnectivity between developments. This case will be heard by the Cumberland County Joint Planning Board on November 15, 2005.

**IF YOU NEED A CLARIFICATION AND/OR NEGOTIATION OF CONDITION(S)  
PLEASE CONTACT ED BYRNE AT  
678-7609 OR PATTI SPEICHER 678-7605.**



4. That no occupancy permit be issued until the zoning administrator inspects the site and certifies that the site is developed in accordance with the approved plans.
5. That a site-specific address and tax parcel number be provided at the time of building/zoning permit application.
6. That applicant is advised that an expert on wetlands should be consulted before proceeding with any development.
7. That street name signs, in compliance with the Cumberland County Street Sign Specifications, shall be installed prior to final plat approval. Note: The developer is responsible for contacting 678-7616, once the street name sign(s) are installed, to schedule an inspection of said sign(s) and notice of a satisfactory inspection must be received by Land Use Codes prior to the approval of the final plat.
8. That all applicable portions of Section 3.20 "Lot Standards", and 3.21 "Group Development", of the County Subdivision Ordinance be complied with.
9. That all uses and setbacks be compatible with those permitted in the R5 zoning classification.
10. That the owner(s)/developer(s) of these lots obtain detailed instructions on permits required to place a structure within this development from the Inspections Department at 130 Gillespie Street Room 106. The Inspections Department will need a copy of this Approved Condition Sheet and map for additional information or the developer should call a Zoning Officer at 321-6640.
11. This review does not constitute a "Subdivision" approval by NCDOT. A separate submittal will be required to NCDOT prior to any consideration for addition to the system.
12. That at a minimum a zoning permit is required prior to the placement of any structure on any portion of this development.
13. That all structures shall be shown on the final plat or that the final plat shall reflect the following statement:  
"Nonconforming structures have not been created by this subdivision."
14. That notarized owners' signature and certifications appear on the final plat prior to approval.
15. That any/all easements appear on the final plat.
16. That the developer needs to obtain a driveway permit from the NC Department of Transportation.
17. That the developer be aware that this approval is for only 48 units in Section Two of Crosswinds Greens Apartments.
18. That the drive be labeled as Town Street on the revised plans.
19. That the developer place a drive between buildings 4 and 5 and connecting to the existing drive in the existing Crosswinds Greens Apartments.
20. The developer extend the drive between buildings 2 and 3 to the property line of tract 2 for the future development of that tract.
21. That the developer provide 24,000 square feet of recreational area on the site plan.
22. That all dumpster pads and utility areas shall be screened.
23. That four copies of a revised plan showing all changes be submitted

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678-7609.