

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Patricia Hall,
Town of Hope Mills
Charles C. Morris,
Town of Linden



COUNTY of CUMBERLAND

Planning & Inspections Department

December 9, 2008

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for December 16, 2008 Board Meeting

P08-62: REZONING OF 31.20+/- ACRES FROM A1 AGRICULTURAL TO R20 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT LOCATED AT 6185, 6189, & 6193 NC HWY 87 S, SUBMITTED BY LURAN INVESTMENTS, LLC, OWNED BY JOAN E. HUMPHREY HEIRS.

The Planning and Inspections Staff recommends denial of the R20 Residential district, but recommends approval of R30 Residential district based on the following:

1. Although the requested zoning district is inconsistent with the 2010 Land Use Plan, which call for farmland at this location, the recommended R30 district not addressed in the text of the 2010 Land Use Plan, is consistent with the zoning and uses in the general area;
2. Approving the R20 district works against the stated objective of the County Commissioners to promote and establish countywide water; in that, allowing densities of 2.2 units per acre or greater without public water dissuades the extension or provision of water in outlying areas in order to develop land at higher densities in areas outside any MIA or Sewer Service Area; and
3. Approving the R20 District is contrary to the philosophy of the negotiated MIA Agreement with the City of Fayetteville in that it would allow densities of 2.2 units per acre outside the MIA and/or Sewer Service area without the provision of public water.

Note: In the past, the Planning and Inspection Staff, as well as the Planning Board, has approved the R20 zoning classification without public water. This was prior to the MIA agreement and these recommendations were consistent with the Commissioners' stated goals at that time.

The R40 Residential district could also be considered suitable for this request.

The applicant has verbally agreed to the R30 Residential district.

Attachments: 1 - Site Profile; 2 - Sketch Map

P08-62
SITE PROFILE

P08-62: REZONING OF 31.20+/- ACRES FROM A1 AGRICULTURAL TO R20 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT LOCATED AT 6185, 6189, & 6193 NC HWY 87 S, SUBMITTED BY LURAN INVESTMENTS, LLC, OWNED BY JOAN E. HUMPHREY HEIRS.

Site Information:

Frontage & Location: 680.00'+/- on NC HWY 87 S

Depth: 2,500.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Assemblies (religious outreach) & 2 single-family dwellings

Initial Zoning: A1 – March 1, 1994 (Area 17)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: A1, R40, RR, & C1(P); East: A1 & R40A; South: A1, R40, R40A, & RR; West: A1, R40, & RR

Surrounding Land Use: Commercial (including food sales); residential (including manufactured homes and abandoned manufactured home); farmland and woodlands

2010 Land Use Plan: Farmland

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Well/ Septic; nearest utilities are approximately 8,825 feet north of site

Soil Limitations: Yes, hydric: JT Johnston loam

School Capacity/Enrolled: Alderman Road Elementary: 750/761; Gray's Creek

Middle: 495/622; Gray's Creek High: 1270/1159

Subdivision/Site Plan: A subdivision or group development review is required prior to development of subject property

Sewer Service Area: No

Average Daily Traffic Count (2006): 32,200 on NC HWY 87 S; 300 on SR 2245 (Thrower Road)

Highway Plan: NC HWY 87 South is identified in the Highway Plan as a major thoroughfare. This proposal calls for a multi-lane facility (R-2562) with an adequate right-of-way of 90 feet. Road improvements are included in the 2009-2015 MTIP; however, road improvements for this segment of the project have been completed

Notes:

Density:

R40/R40A – 33 lots/34units

R30/R30A – 45 lot/units

R20 – 67 lots/68 units

Density (minus 15% for r/w):

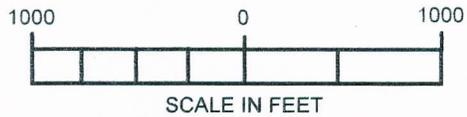
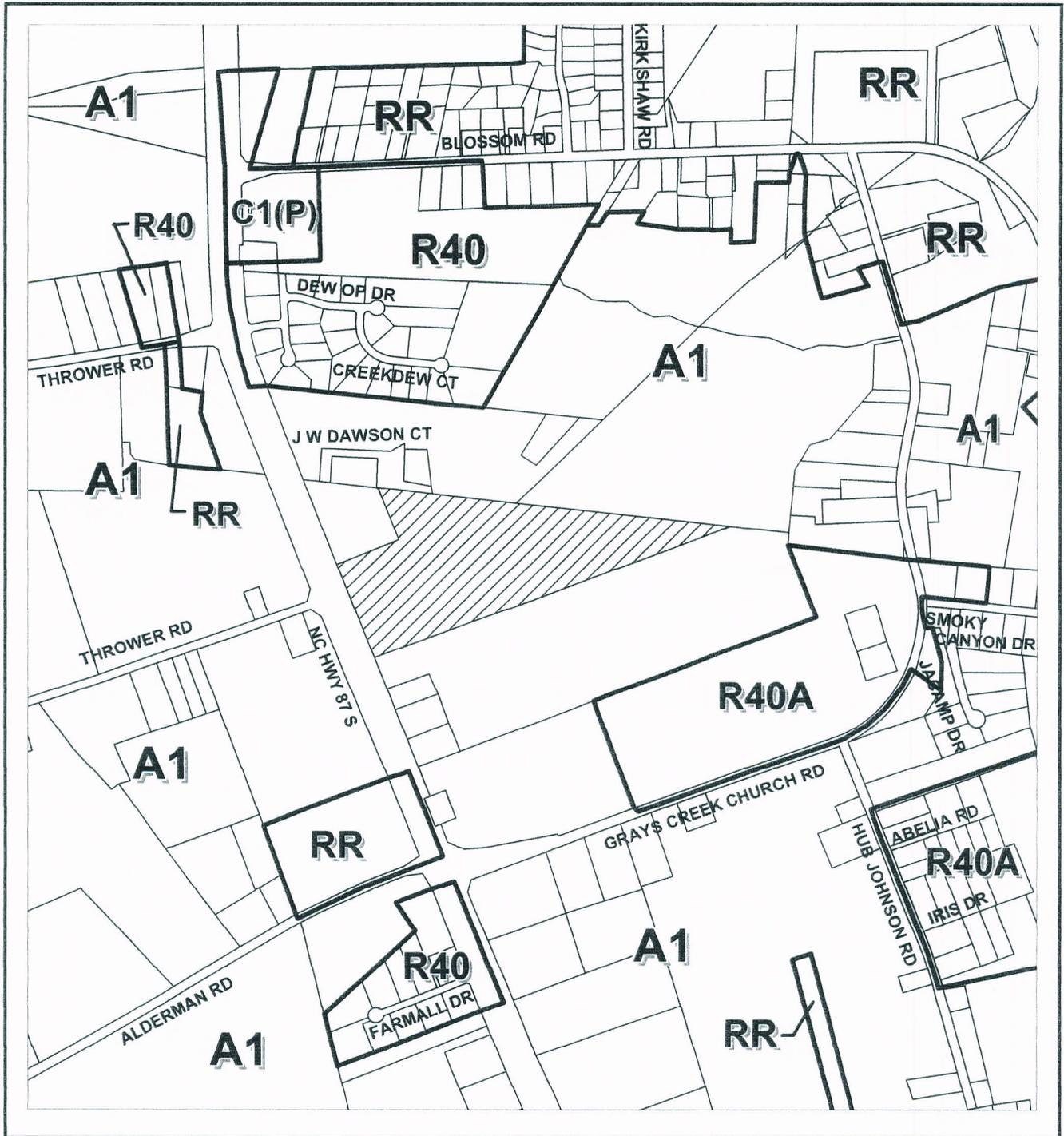
R40/R40A – 28 lots/29 units

R30/R30A – 38 lots/39 units

R20 – 57 lots/58 units

First Class Mailed Notice Certification

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



REQUESTED REZONING A1 TO R20

ACREAGE: 31.2 AC. +/-

HEARING NO: P08-62

ORDINANCE: COUNTY
STAFF RECOMMENDATION
PLANNING BOARD
GOVERNING BOARD

HEARING DATE ACTION

PIN: 0442-40-5602

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MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for December 16, 2008 Board Meeting

P08-63: REZONING OF 2.71+/- ACRES FROM R30 RESIDENTIAL TO R30A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT LOCATED AT 1188 CYPRESS LAKES ROAD, SUBMITTED BY J. THOMAS NEVILLE, ESQUIRE, OWNED BY JOHN LEE MCARTHUR, JR.

The Planning & Inspections Staff recommends approval of R30A Residential district based on the following:

1. The request is consistent with the 2010 Land Use Plan, which calls for low density residential at this location;
2. The request is consistent with the land uses currently allowed within the general area; and
3. Public utilities are available to the site.

Attachments:

- 1 - Site Profile
- 2 - Sketch Map

P08-63
SITE PROFILE

P08-63: REZONING OF 2.71+/- ACRES FROM R30 RESIDENTIAL TO R30A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT LOCATED AT 1188 CYPRESS LAKES ROAD, SUBMITTED BY J. THOMAS NEVILLE, ESQUIRE, OWNED BY JOHN LEE MCARTHUR, JR.

Site Information:

Frontage & Location: 410.00'+/- on SR 2239 (Cypress Lakes Road)

Depth: 435.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Residential

Initial Zoning: A1 – June 25, 1980 (Area 13); rezoned to R30 on August 20, 2007

Nonconformities: Yes, existing manufactured home on subject property is nonconforming

Zoning Violation(s): None

Surrounding Zoning: North: A1, R40, RR & M(P); East: A1, R40 & R10; South: R10/CU (Cypress Lakes Mixed Use); West: A1 & R10

Surrounding Land Use: residential (including manufactured home)

2010 Land Use Plan: Low density residential

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/PWC; sewer is located approximately 200 feet south of subject property, extension required

Soil Limitations: None

School Capacity/Enrolled: Gallberry Farm Elementary: 900/1096; Gray's Creek Middle: 495/622; Gray's Creek High: 1270/1159

Subdivision/Site Plan: A subdivision or a group development review will be required prior to any permits being issued

Sewer Service Area: Yes

Average Daily Traffic Count (2006): 1,700 on SR 2239 (Cypress Lakes Road)

Highway Plan: There are no road improvements/constructions specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Program

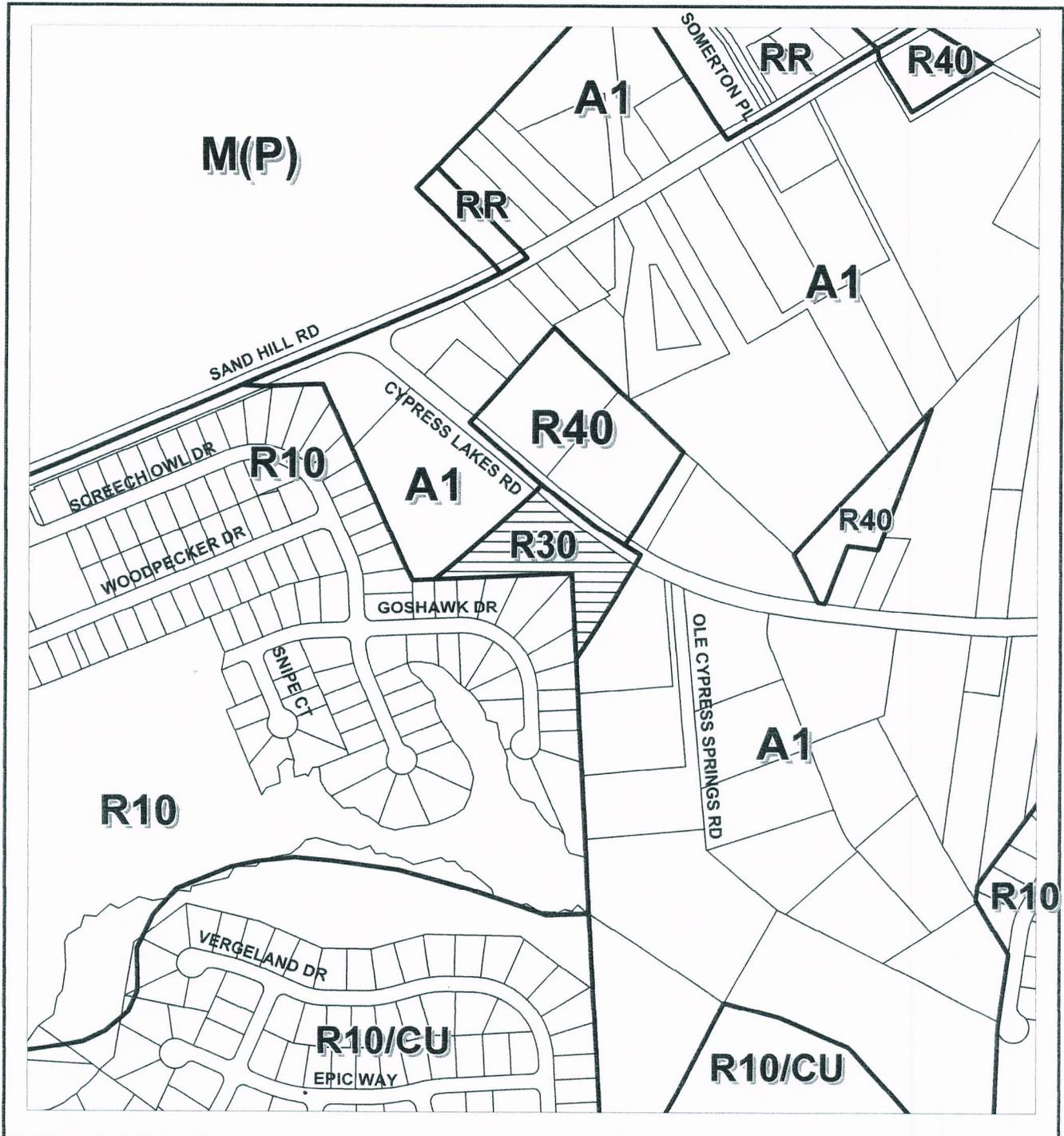
Note:

Density:

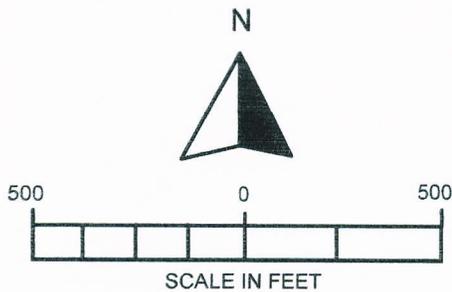
R30/R30A – 3 lots/4 units

First Class Mailed Notice Certification

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



REQUESTED REZONING R30 TO R30A



ACREAGE: 2.71 AC.+/-

HEARING NO: P08-63

ORDINANCE: COUNTY

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD

PIN: 0432-19-5807