

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

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



Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Lori Epler,
Sara E. Piland,
Vikki Andrews,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

TENTATIVE AGENDA

March 19, 2013
7:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRAL / WITHDRAWAL
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. APPROVAL OF THE MINUTES OF FEBRUARY 19, 2013
- VII. PUBLIC HEARING CONSENT ITEMS

REZONING CASES

- A. **P13-05.** REZONING OF 2.51+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 1348 BAINBRIDGE ROAD, SUBMITTED BY WALTER SCOTT AND SYLVIA DELORIS MANNING (OWNERS) AND ROBERT M. BENNETT.
- B. **P13-07.** REZONING OF 1.11+/- ACRES FROM C3 HEAVY COMMERCIAL AND R6 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 104 THROUGH 130 NEW STREET AND ON THE EAST SIDE OF NC HWY 87 (NORTH BRAGG BOULEVARD), SOUTHWEST OF NEW STREET; SUBMITTED BY WILLIAM S. WELLONS JR. ON BEHALF OF FWDCDC, INC. AND FLORENCE C. WELLONS TRUST (OWNERS) AND 4D SITE SOLUTIONS, INC. (COUNTY, SPRING LAKE)

CONDITIONAL ZONING DISTRICT

- C. **P13-02.** REZONING OF 4.21+/- ACRES FROM HS(P) PLANNED HIGHWAY SERVICES AND A1 AGRICULTURAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 4838 J T MATTHEWS ROAD, SUBMITTED BY ROGER AND JEANETTE F. CORNETT ON BEHALF OF CORNETT PROPERTIES, LLC (OWNER).

- VIII. PUBLIC HEARING CONTESTED ITEMS

IX. DISCUSSION

DIRECTOR'S UPDATE

- STAFF PRESENTATIONS

X. ADJOURNMENT

Walter Clark,
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CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

Planning & Inspections Department

March 12, 2013

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Deputy Director

Lori Epler,
Sara E. Piland,
Vikki Andrews,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the March 19, 2013 Board Meeting

P13-05. REZONING OF 2.51+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 1348 BAINBRIDGE ROAD, SUBMITTED BY WALTER SCOTT AND SYLVIA DELORIS MANNING (OWNERS) AND ROBERT M. BENNETT.

The Planning and Inspections Staff recommends approval of the R40 Residential district based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for "rural" at this location, as well as meeting the location criteria for "rural density residential" development as listed in the Land Use Policies Plan; and
2. The location and character of the district is reasonable and will be in harmony with the surrounding area.

The A1A Agricultural district could also be considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P13-05
SITE PROFILE

P13-05. REZONING OF 2.51+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 1348 BAINBRIDGE ROAD, SUBMITTED BY WALTER SCOTT AND SYLVIA DELORIS MANNING (OWNERS) AND ROBERT M. BENNETT.

Site Information:

Frontage & Location: 140.16'+/- on SR 1851 (Bainbridge Road) & 407.91'+/- on SR 1853 (John Nunnery Road)

Depth: 316.74'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: 1 accessory structure

Initial Zoning: A1 – September 3, 1996 (Area 20)

Nonconformities: Yes, subject property has an accessory structure with no principal use

Zoning Violation(s): None

Surrounding Zoning: North: RR & A1; South: R30 & A1; East: R40 & A1; West: A1

Surrounding Land Use: Residential (including manufactured homes), farmland & woodlands

2030 Growth Strategy Map: Rural

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Well/Septic

Soil Limitations: Yes, hydric – TR Torhunta and Lynn Haven soils

School Capacity/Enrolled: Stedman Primary (K-1): 200/162; Stedman Elementary (2-5): 300/288; Mac Williams Middle: 1,270/1,231; Cape Fear High: 1,425/1,589

Subdivision/Site Plan: If approved, review and approval may be required

Average Daily Traffic Count (2010): 980 on SR 1851 (Bainbridge Road) & 670 on SR 1853 (John Nunnery 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

Notes:

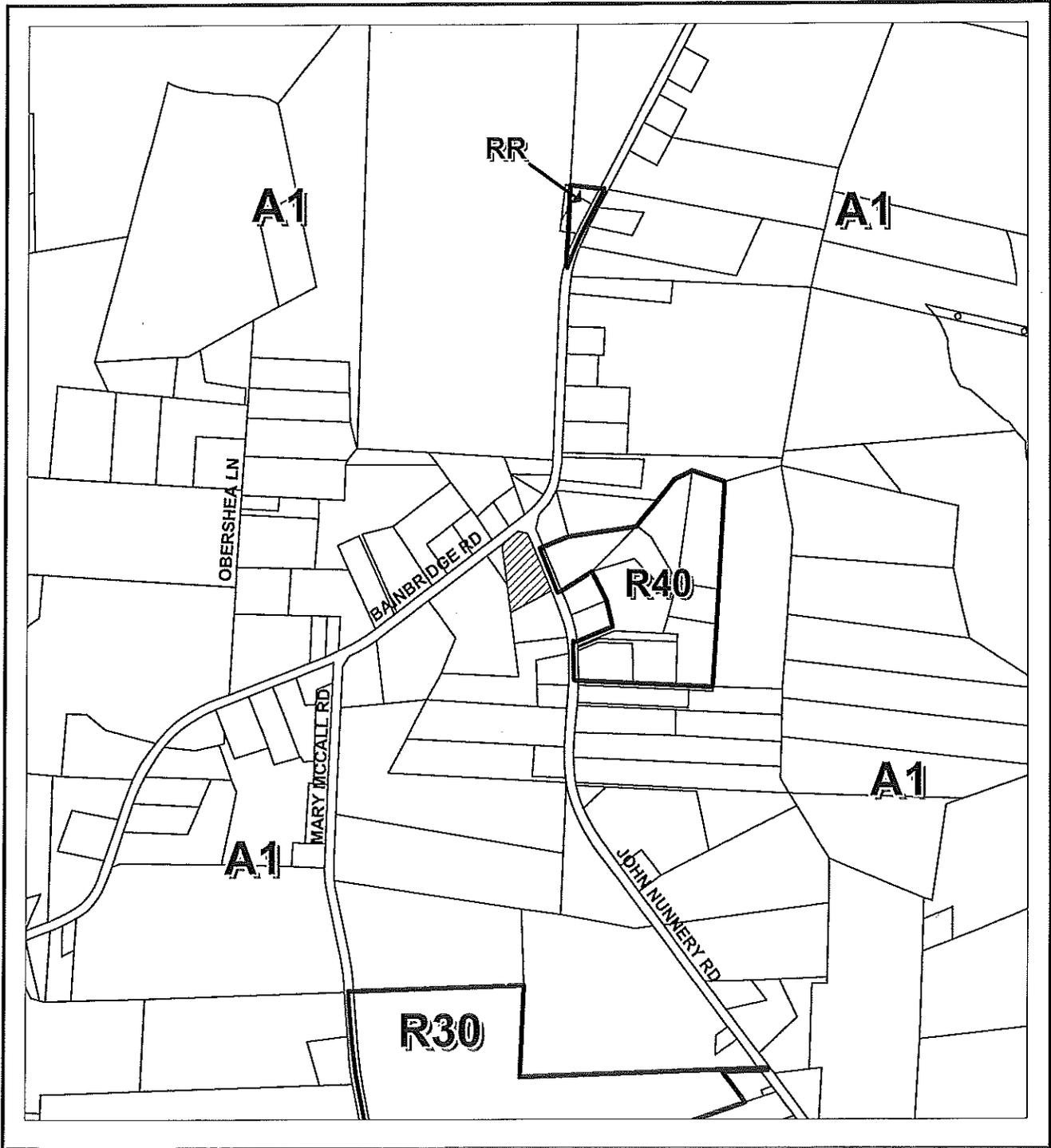
1. Density:
A1 – 1 lot/unit
A1A – 3 lots/units
R40 – 3 lots/units

2. Minimum Yard Setback Regulations:

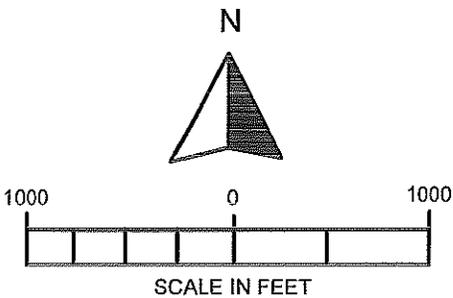
<u>A1& A1A</u>	<u>R40</u>
Front yard: 50'	Front yard: 30'
Side yard: 20'	Side yard: 15'
Rear yard: 50'	Rear yard: 35'

First Class and Record Owners' Mailed Notice Certification

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



REQUESTED REZONING A1 TO R40



ACREAGE: 2.51 AC.+/-	HEARING NO: P13-05	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0496-76-8743

AM

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March 12, 2013

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: County Planning Staff
SUBJECT: Staff Recommendation for the March 19, 2013 Board Meeting

P13-07. REZONING OF 1.11+/- ACRES FROM C3 HEAVY COMMERCIAL AND R6 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 104 THROUGH 130 NEW STREET AND ON THE EAST SIDE OF NC HWY 87 (NORTH BRAGG BOULEVARD), SOUTHWEST OF NEW STREET; SUBMITTED BY WILLIAM S. WELLONS JR. ON BEHALF OF WDCD, INC. AND FLORENCE C. WELLONS TRUST (OWNERS) AND 4D SITE SOLUTIONS, INC. (COUNTY & SPRING LAKE)

The County Planning Staff recommends approval of the request for C(P) Planned Commercial based on the following:

1. The request is consistent with the Spring Lake Area Detailed Land Use Plan, which calls for "planned commercial" at this location and the request is consistent with the location criteria for "heavy commercial" as listed in the Land Use Policies Plan of the 2030 Growth Vision Plan;
2. This portion of Bragg Boulevard is designated as an expressway within the NC Strategic Highway Corridor network, with limited access in the future. The C(P) district is desirable in regulating lateral access as well as ensuring other public safety measures are implemented; and
3. The request is reasonable as public water and sewer are available to the subject properties; and

There are no other districts considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P13-07
SITE PROFILE

P13-07. REZONING OF 1.11+/- ACRES FROM C3 HEAVY COMMERCIAL AND R6 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 104 THROUGH 130 NEW STREET AND ON THE EAST SIDE OF NC HWY 87 (NORTH BRAGG BOULEVARD), SOUTHWEST OF NEW STREET; SUBMITTED BY WILLIAM S. WELLONS JR. ON BEHALF OF WDCD, INC. AND FLORENCE C. WELLONS TRUST (OWNERS) AND 4D SITE SOLUTIONS, INC. (COUNTY & SPRING LAKE)

Site Information:

Frontage: 161.04'+/- on NC NWY 87 (North Bragg Boulevard) & 213.50'+/- on New Street

Depth: 302.95'+/-

Jurisdiction: Cumberland County & Spring Lake

Adjacent Property: No

Current Use: 1 residential structure & 4 manufactured dwellings

Initial Zoning: C3 & R6 – January 7, 1977 (Area 11); initially zoned C3 & R6 on October 8, 1984

Nonconformities: Existing residential structures do not appear to meet front, side or rear yard setbacks. Residential use would become nonconforming and setback nonconformity would increase if approved

Zoning Violation(s): None

Surrounding Zoning: North: R6/CU (2 manufactured homes) (County), M1, C3, C(P), C1, R10, R6 & R5A; South: C3, C(P), PND, R6, R6A (County), R5 & R5A; East: R6 (County); West: C(P)

Surrounding Land Use: Residential (including manufactured homes), office, dressmaking, motor vehicle repair (2), religious worship, motor vehicle parts sales (2), vacant commercial building, strip mall, restaurants (2), car wash, shopping center & woodlands

2030 Land Use Plan: Urban

Spring Lake Area Detailed Land Use Plan: Planned commercial

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Spring Lake/Spring Lake

Soil Limitations: None

School Capacity/Enrolled: Manchester Elementary: 340/371; Spring Lake Middle: 700/496; Pine Forest High: 1,750/1,626

Subdivision/Site Plan: If approved, review and approval may be required

RLUAC: No objections

Average Daily Traffic Count (2010): 39,000 on NC HWY 87 (North Bragg Boulevard)

Highway Plan: This portion of Bragg Blvd is identified as an existing expressway that needs improvements. It is part of the NC Strategic Highway Corridors network. The corridor is not included in the Transportation Improvement Program

Notes:

1. Density:
R6 – 5 lots/units

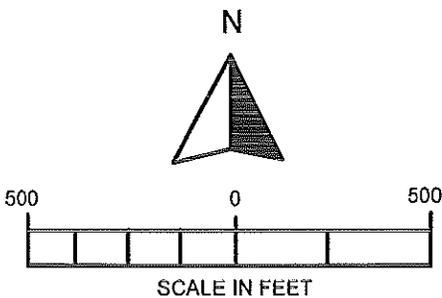
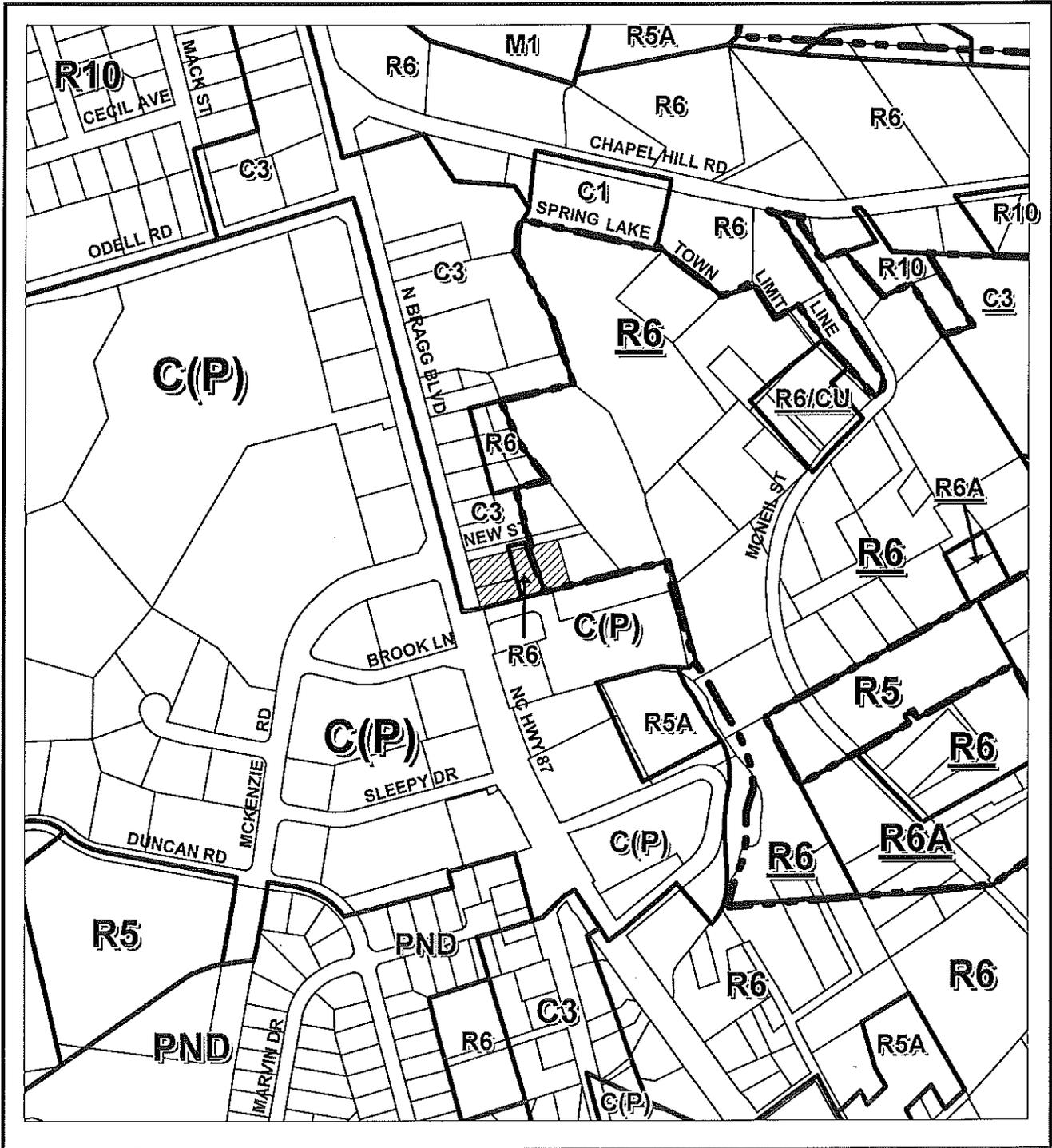
2. Minimum Yard Setback Regulations:

<u>R6</u>	<u>C3</u>	<u>C(P)</u>
Front yard: 25'	Front yard: 45'	Front yard: 50'
Side yard: 10'	Side yard: 15'	Side yard: 30'
Rear yard: 30'	Rear yard: 10'	Rear yard: 30'

3. New Street is a 30' public right-of-way maintained by the Town of Spring Lake

First Class and Record Owners' Mailed Notice Certification

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



REQUESTED REZONING C3 & R6 TO C(P)

ACREAGE: 1.11 AC.+/-	HEARING NO: P13-07	
ORDINANCE: COUNTY/SPRING LAKE	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0502-50-7414
 PIN: 0502-50-7337
 PIN: 0502-50-8433
 PIN: 0502-50-9406

3/13/2013
AM

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MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning & Inspections Staff
SUBJECT: Staff Recommendation for the March 19, 2013 Board Meeting

P13-02. REZONING OF 4.21+/- ACRES FROM HS(P) PLANNED HIGHWAY SERVICES AND A1 AGRICULTURAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 4838 J T MATTHEWS ROAD, SUBMITTED BY ROGER AND JEANETTE F. CORNETT ON BEHALF OF CORNETT PROPERTIES, LLC (OWNER).

On February 12, 2013 the property owner/applicant amended the original application and is now requesting your consideration of a favorable recommendation for a C(P) Planned Commercial/CZ Conditional Zoning district (C(P)/CZ) for motor vehicle repair and interstate sign. The Planning & Inspections Staff recommends approval of the requested rezoning to C(P) Planned Commercial /CZ Conditional Zoning district for motor vehicle repair with an interstate sign based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for "community growth area" at this location, as well as meeting most of the location criteria for "heavy commercial" development as listed in the Land Use Policies Plan;
2. Connection to public sewer is the location criteria not met; however, the requested district is for sign size and height as the primary use of motor vehicle repair is permitted in the A1 Agricultural district and the structure has been properly permitted, currently under construction;
3. Although the request is not entirely consistent with the Wade Land Use Plan, which calls for "one acre residential lots" and "heavy commercial" development at this location, approval of the request is reasonable due to the subject properties' close proximity to the I-95 Wade-Stedman Interchange; and
4. The location and character of the use, if developed according to the plan as submitted and the recommended Ordinance Related Conditions, are reasonable as they will be in harmony with the area in which they are to be located.

There are no other zoning districts suitable as related to this request. The applicant has verbally agreed to all Ordinance Related Conditions.

Attachments:

1 – Site Profile 2 – Rezoning Sketch Map 3 – Site Plan 4 – Sign Detail 5 – Draft Ordinance Related Conditions 6 – Case 13-002 Conditions 7 – Application

P13-02
SITE PROFILE

P13-02. REZONING OF 4.21+/- ACRES FROM HS(P) PLANNED HIGHWAY SERVICES AND A1 AGRICULTURAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 4838 J T MATTHEWS ROAD, SUBMITTED BY ROGER AND JEANETTE F. CORNETT ON BEHALF OF CORNETT PROPERTIES, LLC (OWNER).

Site Information:

Frontage & Location: 573.51'+/- on SR 1814 (J T Matthews Road)

Depth: 370.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Vacant land (under construction)

Initial Zoning: A1 – November 25, 1980 (Area 14)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: M2 & A1; South & West: HS(P) & A1; East: A1

Surrounding Land Use: Residential, farmland & woodlands

2030 Land Use Plan: Community Growth Area

Wade Land Use Plan: One acre residential lots & heavy commercial

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: ESD/Septic

Soil Limitations: Yes, hydric – WO Woodington loamy sand & ST Stallings loamy sand

School Capacity/Enrolled: District 7 Elementary: 300/278; Mac Williams Middle:

1,270/1,229; Cape Fear High: 1,425/1,575

Subdivision/Site Plan: If approved, "Ordinance Related Conditions" apply; also see case no. 13-002

Municipal Influence Area: Town of Wade

Average Daily Traffic Count (2010): 1,400 on SR 1815 (Wade Stedman Road)

Highway Plan: I-95 is identified in the Highway Plan as a Freeway. The plan calls for widening to a multi-lane facility (8 lane divided). This portion of the corridor is included in the MTIP.

Note: The developer should be made aware that the I-95/Wade-Stedman Interchange (Exit 61) calls for redesign which may impact the subject property.

Notes:

1. Density:
A1 – 2 lots/units

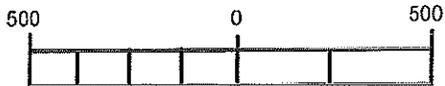
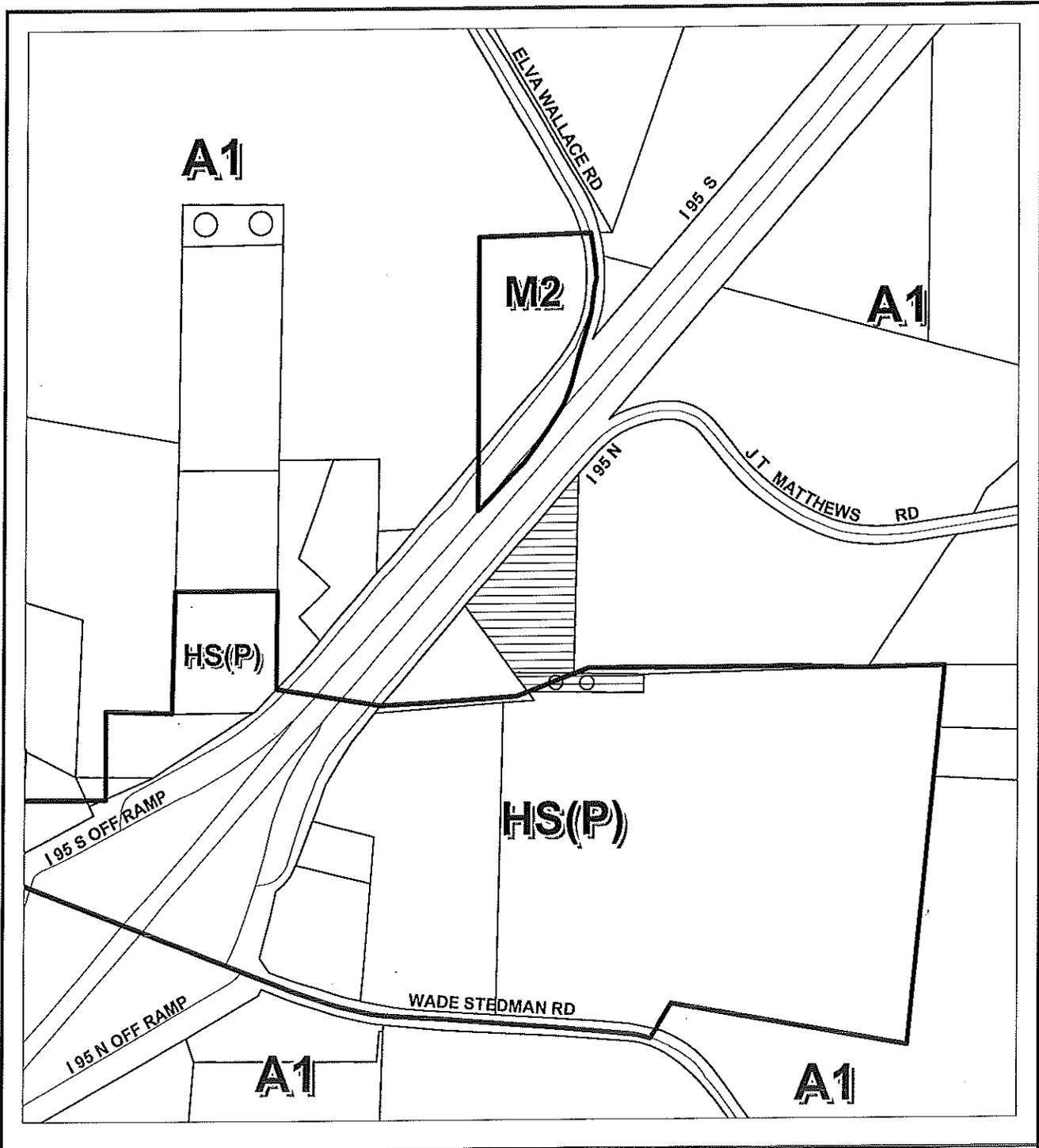
2. Minimum Yard Setback Regulations:

<u>A1</u>	<u>C2(P) & C(P)</u>
Front yard: 50'	Front yard: 50'
Side yard: 20'	Side yard: 30'
Rear yard: 50'	Rear yard: 30'

3. The site plan has already been approved (see case 13-002) and the structure is under construction. The application for Conditional Zoning is for the height/size of the interstate sign (100' feet tall with a face of 144 square feet).

First Class and Record Owners' Mailed Notice Certification

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



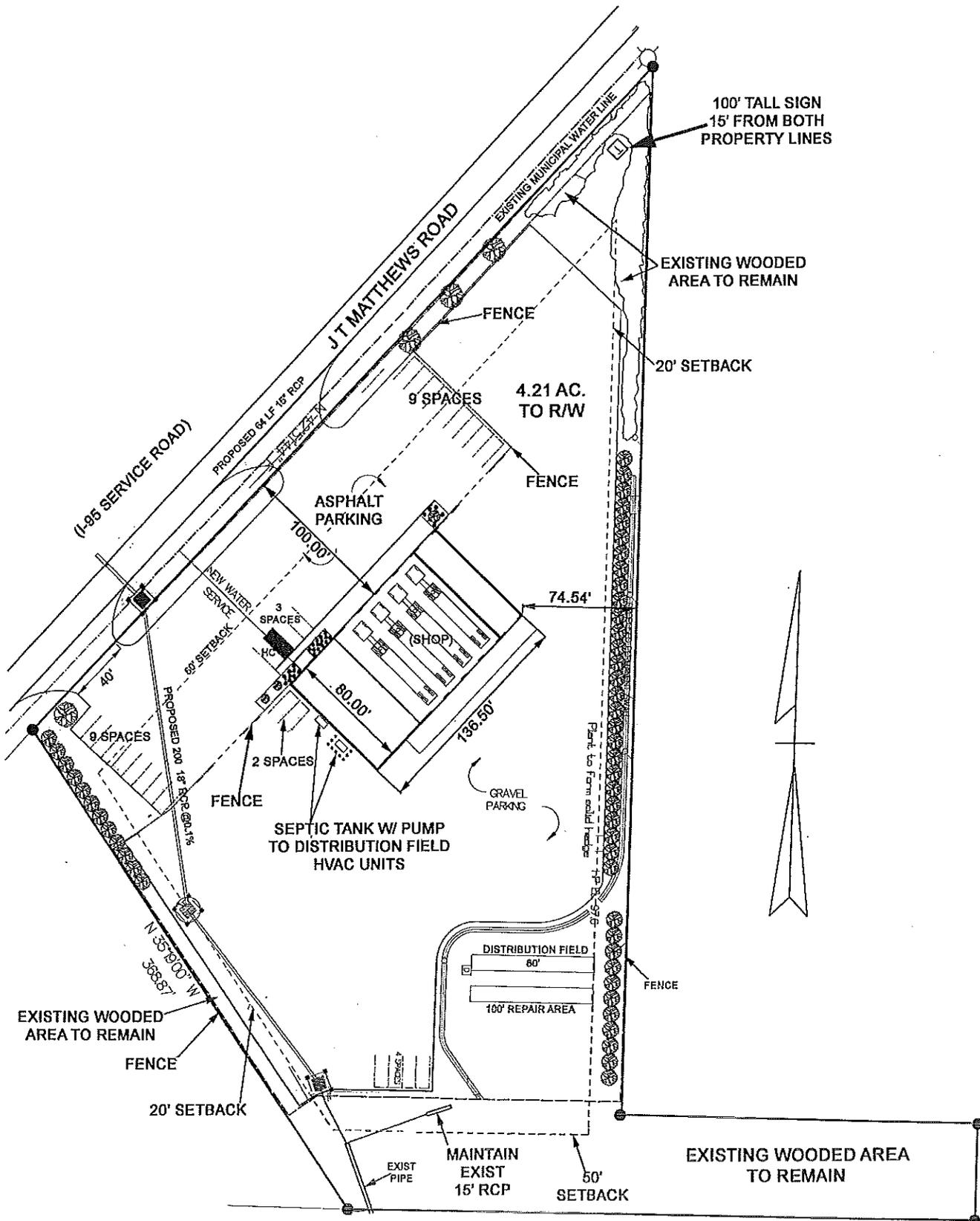
SCALE IN FEET

PIN: 0581-63-1861

REQUESTED REZONING A1 & HS(P) TO C(P)/CZ

ACREAGE: 4.21 AC.+/-		HEARING NO: P13-02	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

2/15/2013
AM



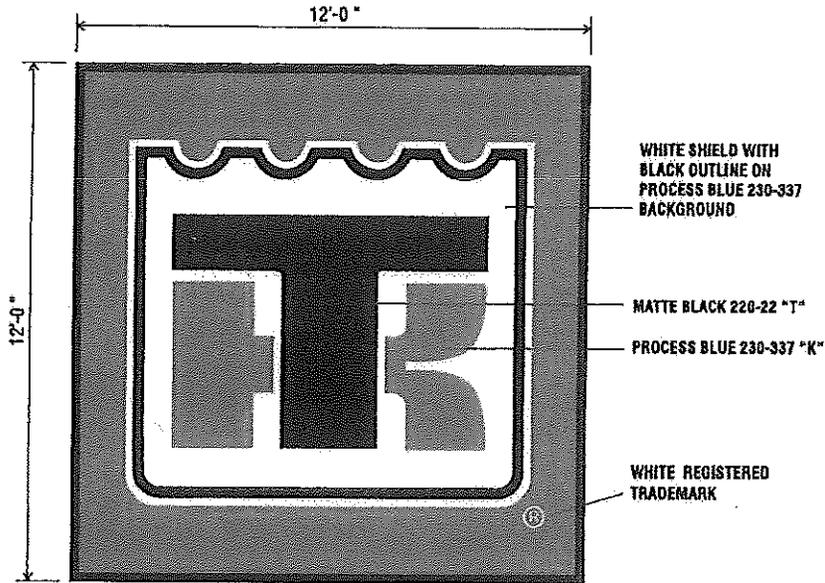
**C(P) PLANNED COMMERCIAL/CZ
CONDITIONAL ZONING DISTRICT**

REQUEST: MOTOR VEHICLE REPAIR
W/ INTERSTATE SIGN

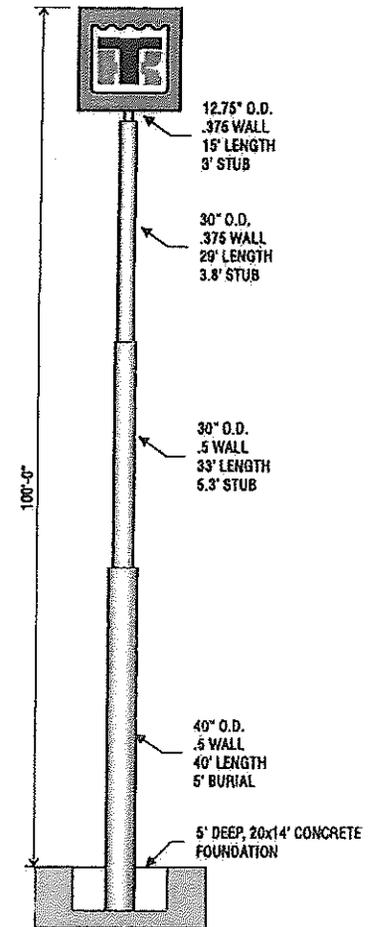
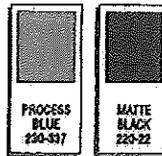
CASE: P13-02 ACREAGE: 4.21+/- AC

ZONED: A1 SCALE: NTS

P13-02 SITEPLAN



SPECIFICATIONS	DOUBLE-FACED POLE SIGN	
	FRAME	ANGLE-IRON
	RETURN MATERIAL	.063 ALUMINUM
	RETURN DEPTH	24"
	RETURN COLOR	BLACK
	BACK	NONE
	FACES	WHITE COOLEY
	VINYL OVERLAY	YES
	RETAINER	1.5" ALUMINUM
	ILLUMINATION	METAL HALIDE*
VOLTAGE	120	
*SIGNS TO HAVE PHOTO EYE FOR AUTOMATIC ON/OFF		



Conditional Zoning District
DRAFT
Ordinance Related Conditions

Note: All conditions of approval for the proposed site plan dated January 3, 2013 apply – see site plan Case No. 13-002. Proposed use is permitted in current zoning district, conditional zoning requested to allow an interstate sign.

Permit-Related:

1. This conditional approval is not approval of the building permit for the freestanding sign. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property.
2. The developer is encouraged to re-consider the proposed sign location so that it is outside any proposed right-of-way for the “JT Matthews Road realignment to eliminate two-way on ramp traffic” – see sketch map in zoning case file. If the road improvement project is funded and approved, and because the current proposed sign location is inside the expected area for the road project, the sign most likely will be required to be relocated. Any change in the sign location will warrant a staff review and require approval of the new location prior to installation of the sign.
3. All conditions of approval from Case No. 13-002 apply to this development.

Thank you for doing business in Cumberland County!

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605 with the Land Use Codes Section; otherwise, contact the appropriate agency at the contact numbers below.

Contact Information (Area Code is 910 unless otherwise stated):

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
Town of Wade:	Cindy Burchett (Town Clerk)	485-3502

cc: Cindy Burchett, Town of Wade (MIA)

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CUMBERLAND COUNTY NORTH CAROLINA

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STAFF REVIEW: 1-3-13 PLANNING BOARD DECISION: N/A

CASE NO: 13-002 NAME OF DEVELOPMENT: THERMCO KING OF FAYETTEVILLE

MIA: WADE A1 SITE PLAN REVIEW

LOCATION: 4838 J.T. MATHEWS (SR 1814) ZONING: A1 & HS(P) – Pending rezoning to C(P)

PIN: 0581-63-1861-

OWNERS / DEVELOPER: VANCE CONSTRUCTION ENGINEER OR DESIGNER: HERRING & SUTTON & ASSOC.

PLANNING & INSPECTIONS DEPARTMENT ACTION:

- PRELIMINARY
- EXTENSION REVISION
- APPROVED CONDITIONALLY
- DENIED

PLANNING BOARD DECISION:

- PRELIMINARY
- EXTENSION REVISION
- APPROVED CONDITIONALLY
- DENIED

The development plat/plan you submitted to this office is conditionally approved. Your approval is subject to the following conditions:

Pre- Permit Related:

1. Prior to any permits for the proposed 100' sign, the proposed rezoning of this property to the C(P) zoning district must be approved. (See Case: P13-02) (Note: If the property is not approved to the C(P) zoning district then the site plan must be revised to reflect the proposed sign meeting the A1 zoning district's sign regulations.)

Permit-Related:

2. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
3. The County Health Department must approve sewer plans prior to application for any permits. Site and soil evaluations must be conducted on the property by the County Environmental Health Department prior to application for permits. A copy of the Health Department approval must be provided to Code Enforcement at the time of application for any building/zoning permits. (Note: All Health Department requirements must be met prior to issuance of final permits.) (Section 2306 A, Water and Sewer, County Subdivision and Development Ordinance)

4. Connection to public water is required, the Eastover Sanitary District must approve water plans prior to application for any permits. A copy of the Eastover Sanitary District's approval must be provided to Code Enforcement at the time of application for building/zoning permits. (Section 2306 A.1, Public Water and Sewer Systems, County Subdivision and Development Ordinance)
5. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
6. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environment and Natural Resources. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement.
7. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.
8. Landscaping must be provided in accordance with Section 1102 N, Landscaping, County Zoning Ordinance and/as shown on the site plan. The following are the minimum standards for the required landscaping of this site:
 - a. Twelve large shade trees or 23 small ornamental trees within the front yard setback area along SR 1814 (J T Matthews Road);
 - b. Three ornamental trees and 27 shrubs are required in the building yard area;
 - c. One large shade trees or two small ornamental trees are required within the parking area.

In addition:

- a. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
 - b. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.
9. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

Site-Related:

10. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance and Zoning Ordinances for the A1 & HS(P) zoning districts must be complied with, as applicable. (Note: If the property is zoned C(P) then the C(P) zoning district provisions must be followed.)
11. Storage of junked vehicles on this site is not permitted; the temporary storage of motor vehicles awaiting repairs must be temporarily stored in such an area that the vehicles are screened from view and cannot be seen from a public street or the adjacent residential property.
12. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is not approval of the size, shape, or location of any signs.) (Note: If this property does not get rezoned to the C(P) zoning district then the developer must submit five copies of a revised site plan to change the 100 foot sign to meet the A1 zoning district's sign requirements.)
13. "J T Matthews Road" must be labeled as "SR 1814 (J T Matthews Road)" on all future plans.

14. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2306 D, County Subdivision and Development Ordinance)
15. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision and Development Ordinance)
16. In the event a stormwater utility structure is required by the NC Department of Environment and Natural Resources (NCDENR), the owner/developer must secure the structure with a four foot high fence with a lockable gate, and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
17. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
18. Turn lanes may be required by the NC Department of Transportation (NCDOT).
19. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
20. A solid buffer must be provided and maintained around any temporary storage of motor vehicles awaiting repairs in such an area that the vehicles are screened from view and cannot be seen from a public street or any adjacent residential properties in accordance with the provisions of Section 1102 G, Buffer Requirements, County Zoning Ordinance. (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)
21. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
22. All required off-street parking spaces shall be a minimum of 9' x 20' and shall be surfaced, with a permanent material such as asphalt or concrete, and striped prior to application for the building final inspection. A minimum of 11 spaces off-street parking spaces are required for this development.
23. Noise levels shall not exceed 60 dB(A) between the hours of 10:00 pm and 7:00 am. In any event, the noise level, regardless of the time of day, shall not become a nuisance to neighboring properties and strict compliance with the County's Noise Ordinance is required.

Advisories:

24. The applicant is advised to consult an expert on wetlands before proceeding with any development.
25. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.

Thank you for doing business in Cumberland County!

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605 with the Land Use Codes Section; otherwise, contact the appropriate agency at the contact numbers below.

Contact Information (Area Code is 910 unless otherwise stated):

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
County Health Department:	Daniel Ortiz	433-3680
Eastover Sanitary District:	Connie Spell	229-3716
Town of Wade:	Cindy Burchett (Town Clerk)	485-3502
Corp of Engineers (wetlands):	Crystal C. Amschler	(910) 251-4170
NCDENR (E&S):	Sally Castle	433-3300
Location Services:		
Site-Specific Address:	Ron Gonzales	678-7616

Street Naming/Signs:
Tax Parcel Numbers:
NCDOT (driveways/curb-cuts):
N.C. Division of Water Quality:

Diane Shelton
Gary Burton
Mike Randall

678-7665
678-7549
486-1496
(919) 733-5083 ext. 545

OFFICIAL PRELIMINARY STAMP
CUMBERLAND COUNTY
CASE NO: 13-002

THIS PLAN APPROVED BY THE CUMBERLAND COUNTY PLANNING &
INSPECTION DEPARTMENT ON: 1-03-13

COMMENTS: SUBJECT TO CONDITIONS

I CERTIFY THAT THIS PLAN HAS BEEN APPROVED BY THE CUMBERLAND
COUNTY PLANNING & INSPECTIONS DEPARTMENT AS DRAWN HEREON
AND MAY BE USED FOR ANY OFFICIAL PURPOSE AS PERMITTED BY LAW.
THIS APPROVAL IS VALID UNTIL: 1-03-15

Patricia S. Spicher GB
SUPERVISOR, LAND USE CODES

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

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

1. Applicant/Agent Roger & Jeanette CORNETT
2. Address: 6463 Flowers Rd. ^{Wilson} NC Zip Code 27893
3. Telephone: (Home) 252-291-5045 ^{WORK} (Work) 919-818-8888 ^{Cell} (Work) 919-818-8888
4. Location of Property: 4838 J.T. MATTHEWS RD. Godwin, NC
28334
5. Parcel Identification Number (PIN #) of subject property: 0581-63-1861
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 4.210 Frontage: 581.80 Depth: 665.56
7. Water Provider: EAST OVER
8. Septage Provider: Septic tank
9. Deed Book 57, Page(s) 35, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: New Commercial Building
11. Proposed use(s) of the property: Thermo King Transportation Refrigeration Sales Service Facility

NOTE: Be specific and list all intended uses.

12. It is requested that the foregoing property be rezoned FROM: A-1 & HS(P)

TO: (Select one)

- Conditional Zoning District, with an underlying zoning district of C(P)
(Article IV)
- Mixed Use District/Conditional Zoning District (Article VI)
- Planned Neighborhood District/Conditional Zoning District (Article VII)
- Density Development/Conditional Zoning District, at the _____ Density
(Article VIII)

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

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

- A. List the use(s) proposed for the Conditional Zoning. (Use of the underlying district will be restricted only to the use(s) specified in this application.)

1. High Rise Pole Sign 100FT Height, 12x12 Lighted Sign
2. Name of Company on Front of Building, Thermo King of Fayetteville, TCS Logo, TK Logo
3. 6FT Fence to be installed around Property Boundary

- B. Density: List the amount of acreage that will be residential, commercial, and/or open space, and the number of lots and/or dwelling units proposed, and the square footage of the non-residential units.

4.21

2. DIMENSIONAL REQUIREMENTS:

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

See Site Plan

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

See Site Plan

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

See Site Plan and ATTACHED Drawing

4. LANDSCAPE AND BUFFER REQUIREMENTS:

- A. For all new non-residential and mixed use development abutting a public street, indicate the number and type of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number and type of shrubs. (Sec. 1102N). **NOTE: All required landscaping must be included on the site plan.**

See Site Plan

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

See Site Plan

5. MISCELLANEOUS:

List any information not set forth above, such as the days and hours of the operation, number of employees, exterior lighting, noise, odor and smoke, emission controls, etc.

1. *HRS OF OPERATION 8-5 M-F TECHNICIANS ON CALL FOR AFTER HOUR EMERGENCY CALLS*
2. *10-15 EMPLOYEES*
3. *BUILDING LIGHTING AND AREA LIGHTING*
4. *DECIBEL LEVEL AT HIGHEST MAYBE 70 DECIBELS*
5. *NO ODOR, NO SMOKE, NO EMISSION LEVELS, CONTROLLED BY THE EQUIPMENT AS PER EPA GUIDELINES*

6. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 1402. If the proposed uses involve development subject to the County Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the Subdivision Ordinance, the site plan shall be of sufficient detail to allow the Planning and Inspections Staff and the Planning Board to analyze the proposed uses and arrangement of uses on the site. It shall also include the footprints of all buildings (proposed and existing), the proposed number of stories, location and number of off-street parking and loading spaces, proposed points of access to existing streets and internal circulation patterns. In addition, the location of all proposed buffers and fences and landscaping shall be included on the site plan.

7. STATEMENT OF ACKNOWLEDGMENT:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (rezoning) rest with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the Planning and Inspections Department a valid request, not incompatible with existing neighborhood zoning patterns.

In order for the Planning Board to offer a favorable recommendation, and for the Board of Commissioners to approve, any Conditional Zoning District, they must find from the evidence presented at their respective hearing that:

- A. The use will not materially endanger the public health or safety if located according to the plan submitted and recommended;
- B. The use meets all required conditions and specifications;
- C. The use will maintain or enhance the value of adjoining or abutting properties, or that the use is a public necessity; and
- D. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general conformity with Cumberland County's most recent Comprehensive Land Use Plan and adopted planning policies.

I further understand I must voluntarily agree to all ordinance related prior to the first hearing on the case. The undersigned hereby acknowledge that the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Roger & Jeannette Corbett

NAME OF OWNER(S) (PRINT OR TYPE)

6463 Flowers Rd Wilson, NC. 27893

ADDRESS OF OWNER(S)

RCORBETT@TCSTK.COM

JFCORBETT@TCSTK.COM

E-MAIL

919-818-8888

252-205-0240

HOME TELEPHONE

WORK TELEPHONE

Roger Corbett
SIGNATURE OF OWNER(S)

Jeannette Corbett
SIGNATURE OF OWNER(S)