Diane Wheatley, Vice-Chair **Cumberland County**

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

Donovan McLaurin Wade, Falcon & Godwin



Planning & Inspections Department

Thomas J. Lloyd, Director

Cecil P. Combs. Deputy Director

Vikki Andrews, Carl Manning, Lori Epler Cumberland County

> Benny Pearce, Town of Eastover

Patricia Hall, Town of Hope Mills

TENTATIVE AGENDA September 20, 2016 7:00 P.M.

- INVOCATION AND PLEDGE OF ALLEGIANCE
- APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRALS / WITHDRAWALS
 - A. **P16-44.** REZONING OF 1.85+/- ACRES FROM C1(P) PLANNED LOCAL BUSINESS TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 124 BAYWOOD ROAD, SUBMITTED BY JING MESTER ON BEHALF OF BAYWOOD PROPERTIES, LLC (OWNERS). (COUNTY) **DEFERRED UNTIL 11/15/2016**
 - B. P16-45. REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ORDINANCE BY AMENDING ARTICLE XI LOT AND YARD ZONING REGULATIONS, SECTION 1102. YARD REGULATIONS, BY CREATING SUB-SECTION "P" TO BE ENTITLED CAPE FEAR RIVER SETBACK; NON-RESIDENTIAL USES, INCLUDING PROVISIONS ESTABLISHING A 100 FOOT BUILDING SETBACK FROM THE RIVER'S BOUNDARY FOR NON-RESIDENTIAL USES; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (COUNTY) WITHDRAWN
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. APPROVAL OF THE MINUTES OF AUGUST 16, 2016
- VI. PUBLIC HEARING CONSENT ITEMS

REZONING CASES

- A. P16-36. REZONING OF 43.06+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED BETWEEN SR 2261 (ALDERMAN ROAD) AND SR 2245 (THROWER ROAD), WEST OF NC HIGHWAY 87 SOUTH; SUBMITTED BY JAMES H. SMITH ON BEHALF OF JHS GRAYS CREEK PROPERTIES, LLC (OWNERS) & TIM EVANS (AGENT).
- B. P16-40. REZONING OF .28+/- ACRES FROM R10 RESIDENTIAL TO O&I(P) PLANNED OFFICE AND INSTITUTIONAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3227 LEGION ROAD, SUBMITTED BY SHELLY AMANDA BAKER (OWNER).

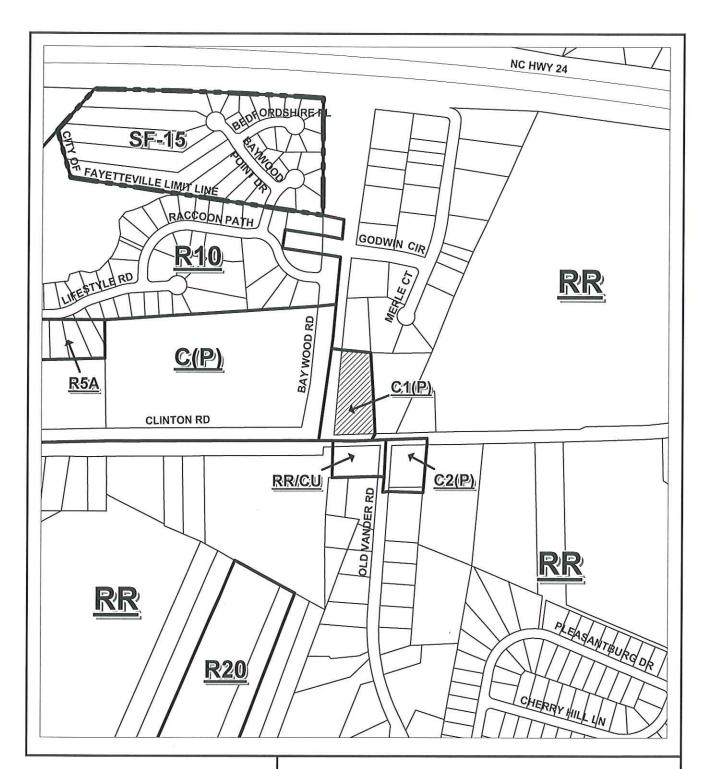
- C. P16-41. REZONING OF 4.07+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3410 THROWER ROAD, SUBMITTED BY WILLIAM EDWARD BROWN (OWNER).
- D. P16-42. REZONING OF 2.09+/- ACRES FROM A1 AGRICULTURAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2601 DOBBIN HOLMES RD, SUBMITTED BY JOSEPH P. & LINDA COMBS (OWNERS).

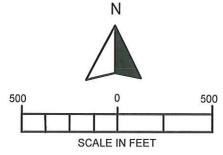
VII. DISCUSSION

DIRECTOR'S UPDATE

OCTOBER 4TH LUNCH MEETING

VIII. ADJOURNMENT





PIN: 0466-78-8453

REQUESTED REZONING C1(P) TO C(P)

ACREAGE: 1.85 AC.+/-	HEARING NO: P16-44	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

Patricia Hall, Chair Town of Hope Mills

Charles C. Morris, Vice-Chair Town of Linden

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

Donovan McLaurin Wade, Falcon & Godwin



Planning & Inspections Department

September 13, 2016

Thomas J. Lloyd, Director

Cecil P. Combs, Deputy Director

Vikki Andrews, Diane Wheatley, Carl Manning, Walter Clark, Cumberland County

Benny Pearce, Town of Eastover

MEMORANDUM

TO:

Cumberland County Joint Planning Board

FROM:

Planning and Inspections Staff

SUBJECT:

Staff Recommendation for the September 20, 2016 Board Meeting

P16-36. REZONING OF 43.06+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED BETWEEN SR 2261 (ALDERMAN ROAD) AND SR 2245 (THROWER ROAD), WEST OF NC HIGHWAY 87 SOUTH; SUBMITTED BY JAMES H. SMITH ON BEHALF OF JHS GRAYS CREEK PROPERTIES, LLC (OWNERS) & TIM EVANS (AGENT).

1st MOTION

The Planning and Inspections Staff recommends the board find that approval of the request is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, which calls for "rural" development at this location, because the district requested will allow for single family dwelling units on relatively large lots in a rural area. Although the request is not entirely consistent with the South Central Land Use Plan which calls for "farmland," the requested district would restrict development to approximately one acre lots where soil conditions are suitable for septic systems.

The staff recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *individual well and septic systems are allowed*, public water and sewer is not available; *could be located in any defined critical area as defined by the Fort Bragg Small Study Area*; *desirable to not be located in an area that is a prime industrial site* and *may be outside the Sewer Service Area*.

2nd MOTION

The Planning and Inspections Staff recommends the board approve Case No. P16-36 for R40 Residential, in addition to the information above, based on the following:

• The R40 Residential district will allow for land uses and lot sizes that exist in the general area.

The staff's preference would be that any potential development be served by public water; however, public water is not yet available at this location. It should be noted that increased development served by well water runs the risk of exacerbating water quality and availability issues that exist in the general vicinity of Gray's Creek. The A1A district could also be considered suitable at this location.

P16-36 SITE PROFILE

P16-36. REZONING OF 43.06+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED BETWEEN SR 2261 (ALDERMAN ROAD) AND SR 2245 (THROWER ROAD), WEST OF NC HIGHWAY 87 SOUTH; SUBMITTED BY JAMES H. SMITH ON BEHALF OF JHS GRAYS CREEK PROPERTIES, LLC (OWNERS) & TIM EVANS (AGENT).

Site Information:

Frontage & Location: 180'+/- on SR 2245 (Thrower Rd) & 36'+/- on SR 2261 (Alderman Rd)

Depth: 2140'+/Jurisdiction: County
Adjacent Property: Yes

Current Use: Residential (two "stick-built" homes) & farmland

Initial Zoning: A1 – June 25, 1980 (Area 13)

Nonconformities: None **Zoning Violation(s):** None

Surrounding Zoning: North: A1, R40 & RR; South: A1; East: A1, R40, R40A, R30 & RR;

West: A1, R40 & RR

Surrounding Land Use: Residential (including manufactured homes), farmland, Alderman Rd

Elementary School

2030 Growth Vision Plan: Urban Fringe South Central Land Use Plan: Farmland

School Capacity/Enrolled: Alderman Road Elementary: 750/731; Gray's Creek Middle: 1100/1025;

Gray's Creek High School: 1270/1368

Special Flood Hazard Area (SFHA): None
Water/Sewer Availability: Well/Septic

Soil Limitations: Yes, hydric – JT Johnston loam

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

Average Daily Traffic Count (2014): 240 on SR 2245 (Thrower Rd), 1200 on SR 2261

(Alderman Rd)

Highway Plan: Alderman Road & Thrower Road are local roads. There are no road improvements/ construction specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Plan.

Notes:

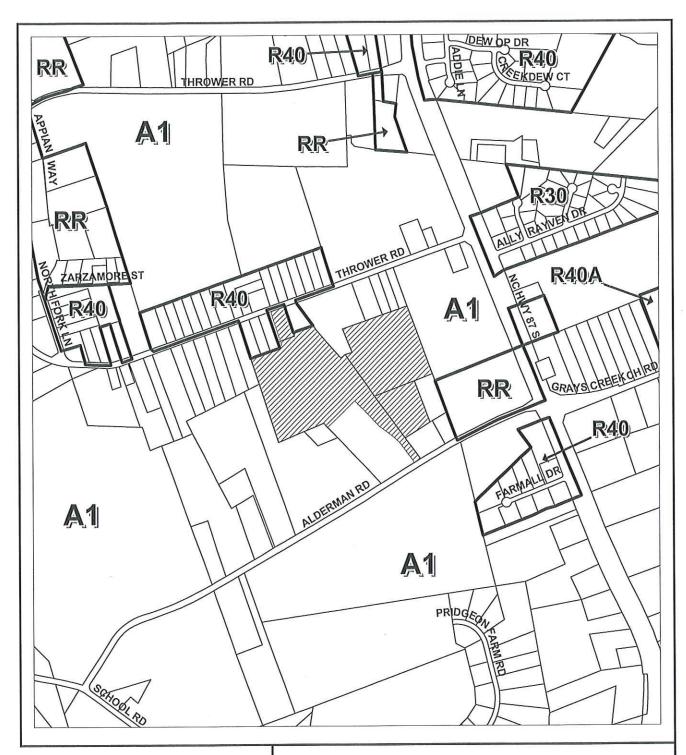
1. Density (minus 15% for R/W)

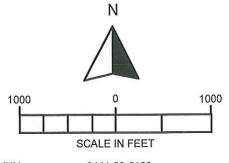
A1 – 18 lots/units A1A – 36 lots/37 units R40 – 39 lots/40 units

2. Minimum Yard Setbacks:

A1 & A1A	<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





PIN:

0441-29-5123 0441-28-7514

0441-19-4415

PORT. OF PIN: 0441-18-8740

REQUESTED REZONING A1 TO R40

ACREAGE: 43.06 AC.+/-	HEARING NO: P16-36	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

JM 8-12-16

Diane Wheatley, Vice-Chair Cumberland County

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

Donovan McLaurin Wade, Falcon & Godwin



Planning & Inspections Department

Thomas J. Lloyd, Director

Cecil P. Combs, Deputy Director

Vikki Andrews, Carl Manning, Lori Epler, Cumberland County

Benny Pearce, Town of Eastover

Patricia Hall, Town of Hope Mills

September 13, 2016

MEMORANDUM

TO:

Cumberland County Joint Planning Board

FROM:

Planning and Inspections Staff

SUBJECT:

Staff Recommendation for the September 20, 2016 Board Meeting

P16-40. REZONING OF .28+/- ACRES FROM R10 RESIDENTIAL TO O&I(P) PLANNED OFFICE AND INSTITUTIONAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3227 LEGION ROAD, SUBMITTED BY SHELLY AMANDA BAKER (OWNER).

1st MOTION

The Planning and Inspections Staff recommends the board find that approval of the request is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, which calls for "urban" development at this location. While the request is not entirely consistent with the Southwest Land Use Plan which calls for "low density residential," it could be considered appropriate due to recent road improvements and the transitional nature of the area.

The staff recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: public water and sewer desirable, PWC water available; should have a direct access to a collector street, Legion Road is a minor arterial street; if not in an office park, should serve as a transition between commercial and residential uses, subject property is located in an area that includes both commercial and residential districts; must be located on a sufficient site that provides adequate area for buffering, screening, and landscaping; subject property is .28 acres.

2nd MOTION

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P16-40 for O&I(P) Planned Office and Institutional based on the following:

 The district requested will allow for land uses that exist in an area already in transition without determinately affecting the remaining residential properties.

There are no other suitable zoning districts to be considered at this location at this time.

P16-40 SITE PROFILE

P16-40. REZONING OF .28+/- ACRES FROM R10 RESIDENTIAL TO O&I(P) PLANNED OFFICE AND INSTITUTIONAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3227 LEGION ROAD, SUBMITTED BY SHELLY AMANDA BAKER (OWNER).

Site Information:

Frontage & Location: 80.14'+/- on SR 1132 (Legion Rd)

Depth: 166.45'+/Jurisdiction: County
Adjacent Property: No
Current Use: Residential

Initial Zoning: R10 – November 17, 1975 (Area 4)

Nonconformities: Yes – existing residential use & structure setbacks would be made

nonconforming if approved. **Zoning Violation(s):** None

Surrounding Zoning: North: M(P), M(P)/CU (M2 setbacks), C(P), C(P)/CUD (icehouse & other permitted uses), C1(P), R10 & R10/CU (barbering/hairdressing); South: R10, R6A, R5A

& R5A/CU (insurance office); East: M(P) & R10; West: R10 & R6A

Surrounding Land Use: Residential, religious worship, daycare/private school, restaurant,

exterminating services & hair salon 2030 Growth Vision Plan: Urban

South West Land Use Plan: Low density residential

School Capacity/Enrolled:

Municipal Influence Area: Fayetteville

Fayetteville Planning: If PWC sewer is provided or expanded, annexation would be required.

School Capacity/Enrolled: Cashwell Elementary: 803/727; South View Middle: 900/671; South View

High School: 1800/1805

Special Flood Hazard Area (SFHA): None Water/Sewer Availability: PWC/Septic

Soil Limitations: None

Subdivision/Site Plan: If approved, site plan review will be required. **Average Daily Traffic Count (2014):** 9600 on SR 1132 (Legion Rd)

Highway Plan: Legion Road is a local thoroughfare. The subject property falls within highway

project U2809B which should be complete at this time.

Notes:

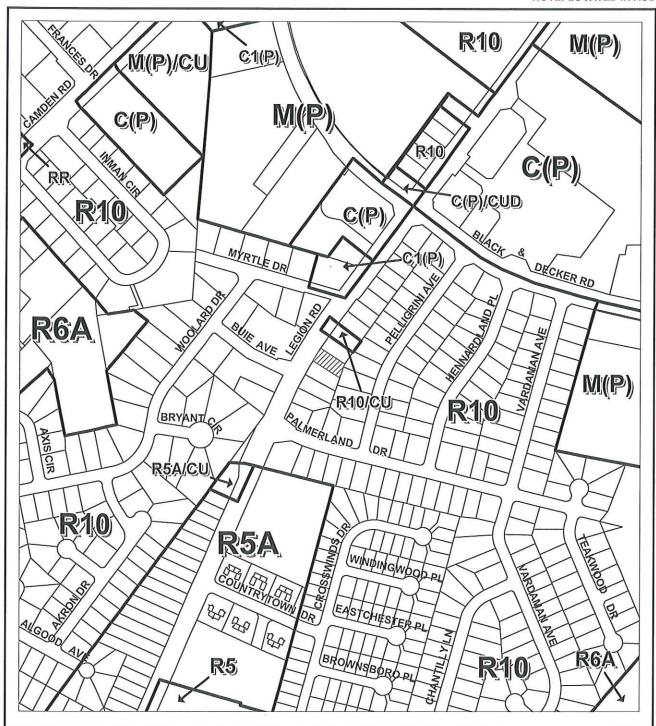
1. Density

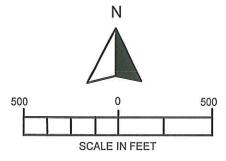
R10 (R7.5) - 1 lot/ 2 units

2. Minimum Yard Setbacks:

O&I(P)R10 (R7.5)Front yard: 35'Front yard: 30'Side yard: 15'Side yard: 10'Rear yard: 20'Rear yard: 35

First Class and Record Owners' Mailed Notice Certification





PIN: 0425-45-6456

REQUESTED REZONING R10 TO O&I(P)

ACREAGE: 0.28 AC.+/- ORDINANCE: COUNTY	HEARING NO: P16-40	
	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

Diane Wheatley, Vice-Chair Cumberland County

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

Donovan McLaurin Wade, Falcon & Godwin



Planning & Inspections Department

Thomas J. Lloyd, Director

Cecil P. Combs, Deputy Director

Vikki Andrews, Carl Manning, Lori Epler, Cumberland County

Benny Pearce, Town of Eastover

Patricia Hall, Town of Hope Mills

September 12, 2016

MEMORANDUM

TO:

Cumberland County Joint Planning Board

FROM:

Planning and Inspections Staff

SUBJECT:

Staff Recommendation for the September 20, 2016 Board Meeting

P16-41. REZONING OF 4.07+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3410 THROWER ROAD, SUBMITTED BY WILLIAM EDWARD BROWN (OWNER).

1st MOTION

The Planning and Inspections Staff recommends the board find that approval of the request is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, which calls for "rural" development at this location, because the district requested will allow for single family dwelling units on relatively large lots in a rural area. Although the request is not entirely consistent with the South Central Land Use Plan which calls for "farmland," the requested district follows the plan's recommendation "to allow rezoning to one acre lots on tracts ten acres or less in the farmland area."

The staff recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: individual well and septic systems are allowed; could be located in any defined critical area as defined by the Fort Bragg Small Study Area; desirable to be limited to one unit per acre in areas with hydric soils and severe septic tank limitations; desirable to not be located in an area that is a prime industrial site and may be outside the Sewer Service Area.

2nd MOTION

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P16-41 for R40 Residential based on the following:

The district requested will allow for land uses and lot sizes that exist in the general area.

The staff's preference would be that any potential development be served by public water; however, public water is not yet available at this location. There are no other suitable zoning districts to be considered at this location at this time.

P16-41 SITE PROFILE

P16-41. REZONING OF 4.07+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3410 THROWER ROAD, SUBMITTED BY WILLIAM EDWARD BROWN (OWNER).

Site Information:

Frontage & Location: 204'+/- on SR 2245 (Thrower Rd)

Depth: 923.13'+/Jurisdiction: County
Adjacent Property: Yes
Current Use: Farmland

Initial Zoning: A1 – June 25, 1980 (Area 13)

Nonconformities: None **Zoning Violation(s):** None

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

West: A1A, R40 & R40A

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

2030 Growth Vision Plan: Rural

South Central Land Use Plan: Farmland Special Flood Hazard Area (SFHA): None Water/Sewer Availability: Well/Septic

Soil Limitations: Yes, hydric – Ra Roanoke and wahee loams

Subdivision/Site Plan: If approved, subdivision review may be required. **Average Daily Traffic Count (2014):** 240 on SR 2245 (Thrower Rd)

Highway Plan: Thrower Road is a local road with no road improvements/ construction planned. This case has no impact on the current Highway plan or Transportation Improvement Program.

Notes:

1. Density

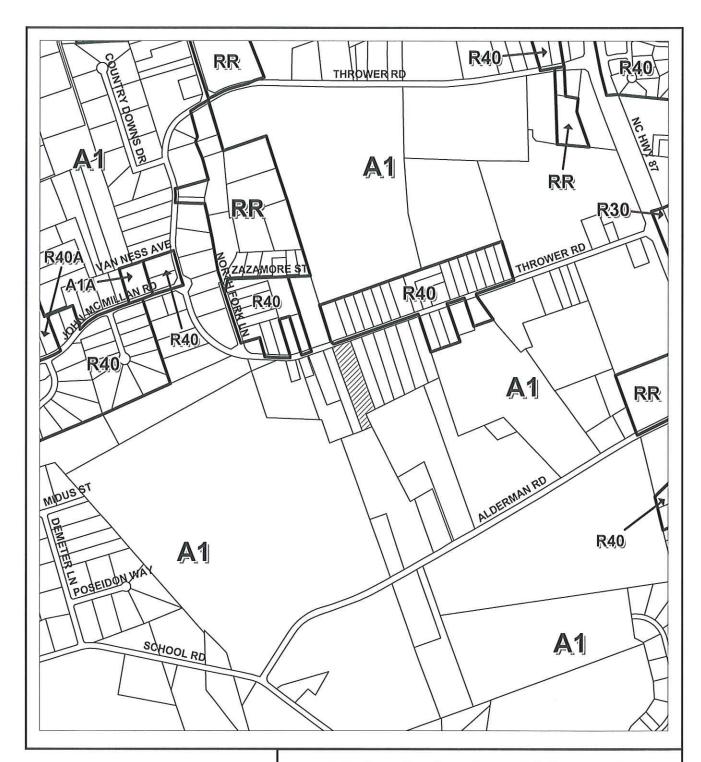
A1 –2 lots/units A1A – 4 lots/units R40 – 4 lots/units

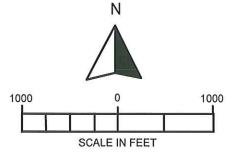
2. Minimum Yard Setbacks:

A1 & A1A Front yard: 50' R40 Front

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

First Class and Record Owners' Mailed Notice Certification





PIN: 0441-08-2637

REQUESTED REZONING A1 TO R40

ACREAGE: 4.07 AC.+/-	HEARING NO: P16-41	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

Diane Wheatley, Vice-Chair Cumberland County

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

Donovan McLaurin Wade, Falcon & Godwin



Planning & Inspections Department

Thomas J. Lloyd, Director

Cecil P. Combs, Deputy Director

Vikki Andrews, Carl Manning, Lori Epler, Cumberland County

Benny Pearce, Town of Eastover

Patricia Hall, Town of Hope Mills

September 13, 2016

MEMORANDUM

TO:

Cumberland County Joint Planning Board

FROM:

Planning and Inspections Staff

SUBJECT:

Staff Recommendation for the September 20, 2016 Board Meeting

P16-42. REZONING OF 2.09+/- ACRES FROM A1 AGRICULTURAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2601 DOBBIN HOLMES RD, SUBMITTED BY JOSEPH P. & LINDA COMBS (OWNERS).

1st MOTION

The Planning and Inspections Staff recommends the board find that approval of the request is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, which calls for "rural" development at this location, because the district requested will allow for single family dwelling units on relatively large lots in a rural area. The request is also consistent with the Eastover Land Use Plan, which calls for "One acre residential" development.

The staff recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *individual well and septic systems are allowed*, ESD water is available; *could be located in any defined critical area as defined by the Fort Bragg Small Study Area*; *desirable to be limited to one unit per acre in areas with hydric soils and severe septic tank limitations*; *desirable to not be located in an area that is a prime industrial site* and *may be outside the Sewer Service Area*.

2nd MOTION

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P16-42 for R40A Residential based on the following:

The district requested will allow for land uses and lot sizes that exist in the general area.

The A1A Agricultural and R40 Residential districts could also be considered suitable at this location.

P16-42 SITE PROFILE

P16-42. REZONING OF 2.09+/- ACRES FROM A1 AGRICULTURAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2601 DOBBIN HOLMES RD, SUBMITTED BY JOSEPH P. & LINDA COMBS (OWNERS).

Site Information:

Frontage & Location: 216.48'+/- on SR 1725 (Dobbin Holmes Rd)

Depth: 428.12'+/Jurisdiction: County
Adjacent Property: No
Current Use: Residential

Initial Zoning: A1 – December 14, 1979 (Area 10)

Nonconformities: None Zoning Violation(s): None

Surrounding Zoning: North: A1 & R40A; South: A1, R40, R40A & RR; East: A1; West:

A1 & RR

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

trucking company

2030 Growth Vision Plan: Rural

Eastover Land Use Plan: One acre residential Special Flood Hazard Area (SFHA): None Water/Sewer Availability: Eastover/Septic

Sewer Service Area: Yes

Soil Limitations: Yes, hydric - Ro Roanoke and wahee loams

Subdivision/Site Plan: If approved, subdivision or group development review may be required.

Average Daily Traffic Count (2014): 370 on SR 1725 (Dobbin Holmes Rd)

Highway Plan: Dobbin Holmes Road is a local road with no road improvements/ construction planned. This case has no impact on the current Highway plan or Transportation Improvement Program.

Notes:

1. Density

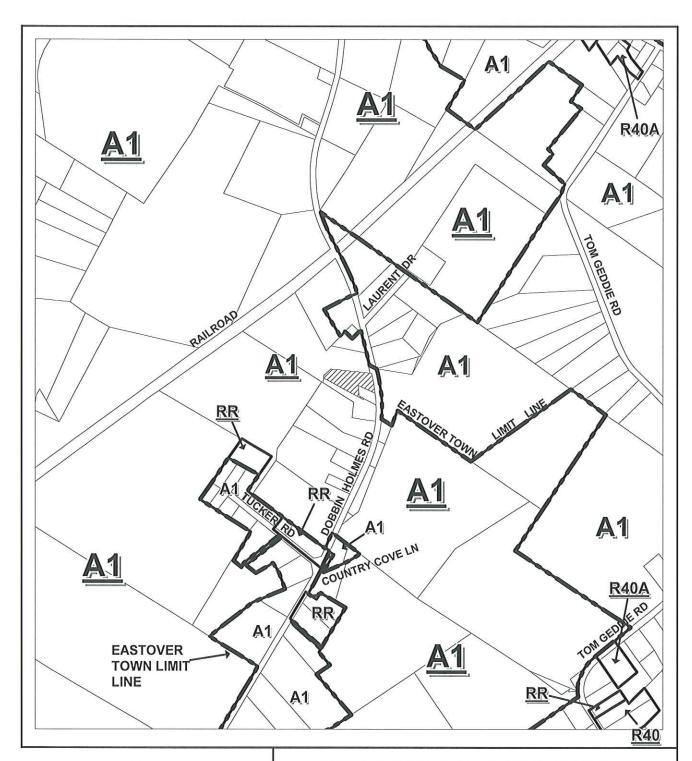
A1 –1 lot/unit A1A – 2 lots/units

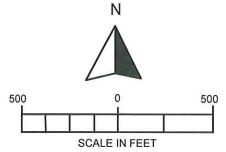
R40 & R40A – 2 lots/units

2. Minimum Yard Setbacks:

A1 & A1A R40 & R40 A Front yard: 50' Front yard: 30' Side yard: 15 Rear yard: 50' Rear yard: 35

First Class and Record Owners' Mailed Notice Certification





PIN: 0459-73-2196

REQUESTED REZONING A1 TO R40A

ACREAGE: 2.09 AC.+/-	HEARING NO: P16-42	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		