

Amy H. Cannon
County Manager

Tracy Jackson
Assistant County
Manager



Rawls Howard
Director

David Moon
Deputy Director

CUMBERLAND COUNTY JOINT PLANNING BOARD

AGENDA February 15, 2022 6:00 PM

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. SWEARING IN OF NEW BOARD MEMBERS
- III. ADJUSTMENTS TO / APPROVAL OF AGENDA
- IV. PUBLIC MEETING WITHDRAWALS / DEFERRALS
- V. ABSTENTIONS BY BOARD MEMBERS
- VI. APPROVAL OF THE MINUTES
- VII. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE
- VIII. PUBLIC MEETING CONSENT ITEMS

REZONING CASES

- A. ZON-22-0029: Rezoning from A1 Agriculture District to R15 Residential District on 6.0 +/- acres or more restrictive zoning district; located at west end of Laguardia Drive; submitted by Scott Brown (agent) on behalf of William R. Homes, LLC (owner).**

- IX. PUBLIC MEETING CONTESTED ITEMS
- X. DISCUSSION
 - A. INTRODUCTION OF NEW STAFF**
- XI. ADJOURNMENT

Historic Cumberland County Courthouse | 130 Gillespie Street | P.O. Box 1829 |
Fayetteville, North Carolina 28301 | Phone: 910-678-7600 | Fax: 910-678-7631
co.cumberland.nc.us

Location: Northwest end of Laguardia Drive
Jurisdiction: County-Unincorporated

REQUEST

Rezoning A1 to R15

Applicant requests a rezoning from A1 Agricultural District to R15 Residential District for one parcel of approximately 6.0 acres located at the end Laguardia Dr, north of Gander Way. The tract is vacant and wooded. This request would assign the same zoning district as currently assigned to the Cypress Crossing neighborhood to the southeast. Access to the subject site can only occur at the present time through the Cypress Crossing neighborhood from Laguardia Drive.

PROPERTY INFORMATION

OWNER/APPLICANT: William R Homes, LLC/Scott Brown

ADDRESS/LOCATION: Northwest end of Laguardia Dive. Refer to Exhibit "A", Location and Zoning Map. REID number: 0433306897000.

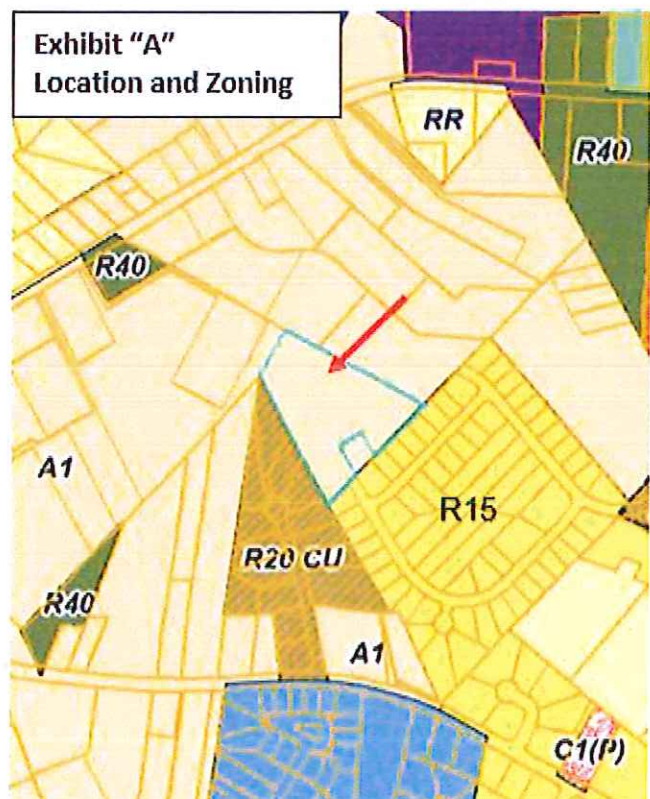
SIZE: 6.0 +/- acres within one parcel. The property has approximately 51.68 +/- feet of street frontage along the north side of Laguardia Dr. The property has a depth extending about 644.2 +/- feet on the west side and about 709.9 +/- on the east.

EXISTING ZONING: The subject property is currently zoned A1 Agricultural District. This district is intended to promote and protect agricultural lands, including woodland, within the County. The general intent of the district is to permit all agricultural uses to exist free from most private urban development except for large lot, single-family development. Some public and/or semi-public uses as well as a limited list of convenient commercial uses are permitted to ensure essential services for the residents.

EXISTING LAND USE: The parcel is vacant and wooded. Exhibit "B" shows the existing use of the subject property.

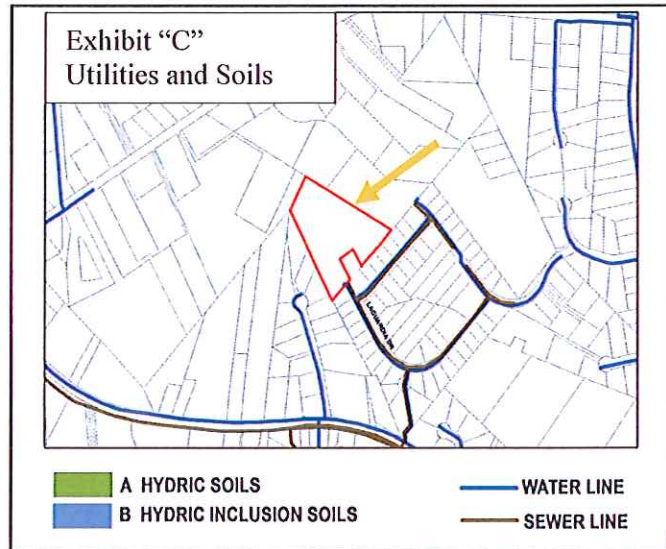
SURROUNDING LAND USE: Exhibit "B" illustrates the following:

- North:** Abutting to the northeast is a parcel assigned A1 zoning district with a single-family home.
- East:** East is Sansbury Estates, a residential subdivision zoned A1 with lots occupied with single family homes or are vacant, which are served by a Class "C" private street.
- West:** West of the subject site is a single-family residential neighborhood, Cypress Landing, zoned R20/Conditional Use. Exhibit "E", attached, presents the plat for Cypress Landing.
- South:** Southeast is a single-family subdivision, Cypress Crossing, that is zoned R15 and has typical minimum lot size of 9,750 sq. ft. with a typical minimum lot width of 75 feet. Cypress Crossing



is a zero lot subdivision/plat with lots sizes smaller than the minimum 15,000 sq. ft. for R15 zoning. Exhibit "F", attached, presents the Zero Lot Line Plat for Cypress Crossing.

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C" illustrates no presence of hydric or hydric inclusion soils.

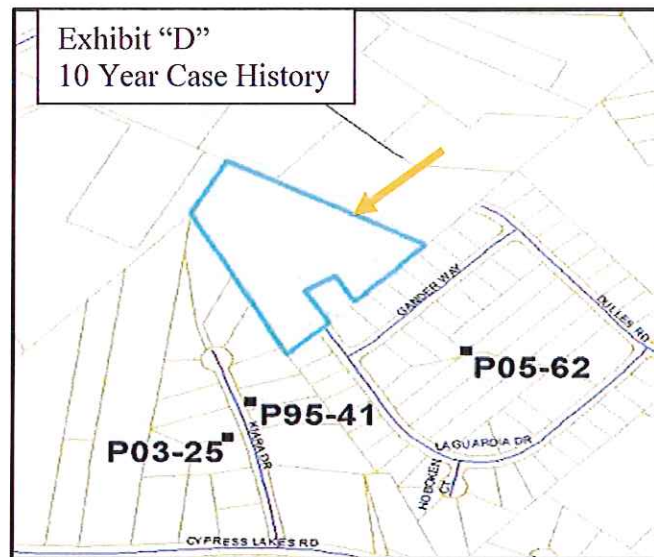


TEN YEAR ZONE CASE HISOTRY:

Exhibit "D" denotes the location of the zoning case history described below.

- P05-62: A1 to R15; APPROVED
- P03-25: R20/CU REVISION; APPROVED
- P95-41: A1 TO R20/CU; APPROVED

DEVELOPMENT REVIEW: Subdivision review by County Planning & Inspections will be required before any development.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	R15 (Proposed)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet (one story) 25 feet (two story)	10 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 acres	15,000 sq. ft.
Lot Width	100'	75'

Development Potential:

Existing Zoning (A1)	Proposed Zoning (R15)
2 dwelling units	14 dwelling units

- Assumes 80% of land is usable for development after exclusion of potential area for roads and drainage.
- Calculation: **(total developable area times 0.8)/minimum lot size for zone district.**
- **Section 202 (A):** Lot count may be rounded-up when a fraction occurs. When any requirement of this ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit, and a fraction of less than one-half shall be disregarded.

COMPREHENSIVE PLANS: Located in the South Central Cumberland Land Use Plan (2015), the subject property is designated as Low Density Residential, which is intended for residential properties having a density of 2.2 to 6 units/acre, as shown within Exhibit "G". The Low-Density Residential designation calls for associated zoning districts of R15 and R7.5. **Request is consistent with the adopted land use plan.**

APPLICABLE PLAN GOALS/POLICIES:

-Goals: Provide a complete range of residential housing types that accommodates the needs of all residents with adequate infrastructure while preserving the character of the area and protecting environmentally sensitive areas.

-Objectives:

- Any residential development greater than two units per acre must have public or private water and sewer.
- Encourage use of low impact developments techniques.
- Strengthen and enforce minimum housing standards
- Promote building of quality housing.
- Provide flexibility for mixed-use and higher density developments to locate close to existing or future commercial centers.
- Locate residential areas with respect to natural and environmental sensitive areas.
- Promote infill development.
- Promote sidewalks and pedestrian facilities to provide access to facilities such as schools, commercial areas, and recreation facilities.
- Provide and preserve natural vegetative buffer areas between single and multistory residential development and non-residential uses.



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: PWC water and sewer lines are available at the end of Laguardia Drive. It is the applicant's responsibility to determine if this utility provider will serve their development. Utilities for water and sewer are shown on Exhibit "C".

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property sits Laguardia Drive and is identified as a local street in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned and the subject property will have no significant impact on the Transportation Improvement Program. In addition, Laguardia has no available AADT or road capacity data. Due to the small development scale and lack of data, the new zoning request does not demand a trip generation. The new development should not generate enough traffic to significantly impact Laguardia Drive.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Alderman Road Elementary	707	667
Gray's Creed Middle	1,083	1,125
Gray's Creek High	1,517	1,396

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no comment at this time.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and stated that the applicant must ensure that all fire department access roads requirements are met in accordance with section 503 of the 2018 NC Fire Code, where required.

SPECIAL DISTRICTS: The property is not located within the Fayetteville Regional Airport Overlay District or within five miles of Fort Bragg Military Base.

CONDITIONS OF APPROVAL: This is a conventional zoning and there are no conditions at this time.

CODE DEVIATIONS: No deviations have been identified.

STAFF RECOMMENDATION

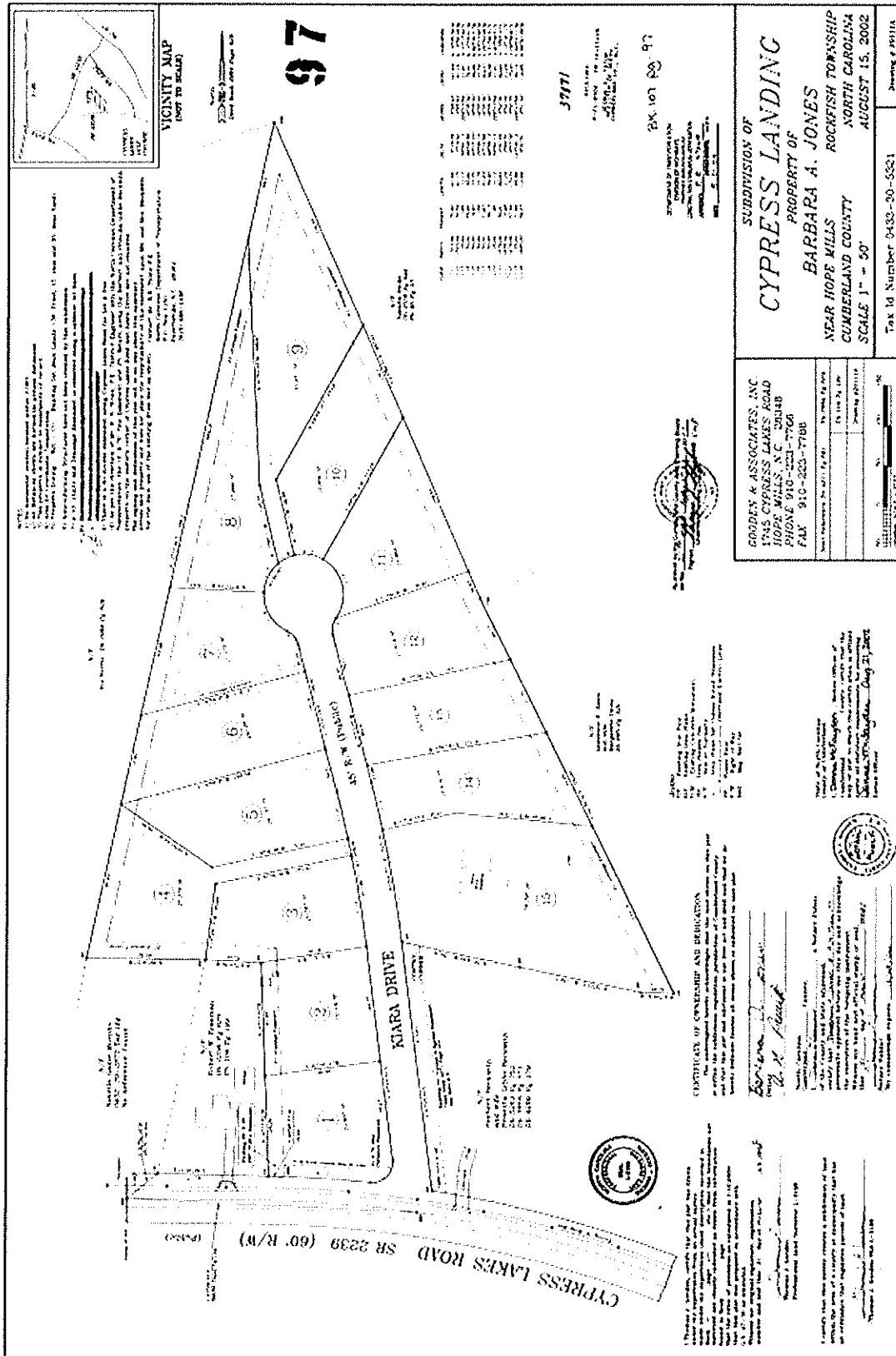
In Case ZON-21-0029, the Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R15 Residential District. Staff finds the request is consistent with the South Central Cumberland Land Use Plan which calls for Low Density Residential at this location. Staff also finds that the R15 Zoning District is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:

Notification Mailing List

Application

PC



[illegible]

ATTACHMENT – MAILING LIST

John M. & Kimberly L. Adorian
4809 Kiara Dr
Hope Mills, NC 28348

Herbert Jr. & Priscilla Gibbs Beckwith
PO Box 183
Hope Mills, NC 28348

Kimberly F. Bledsoe/Sabrina F. Ross
Jason R. & Shannon Fowler Russell
6400 Emu Dr
Hope Mills, NC 28348

Carolyn J. Brown
1336 Leander LN
Hope Mills, NC 28348

Curtis Jerome Brown, Jr
816 Cabaletta Dr
Hope Mills, NC 28348

Joseph W. Brown
4828 KIARA DR
Hope Mills, NC 28348

Jason Michael & Brittany Bullock
4708 Gander Way
Hope Mills, NC 28348

Alicia D. Cabbagestalk
724 Fairbluff Dr
Hope Mills, NC 28348

Paul Chalonn
3394 Hawthorne St
Hope Mills, NC 28348

Travis R. & Kim D. Christian
1520 Laguardia Dr
Hope Mills, NC 28348

Edgar K. Christie
1521 Dulles Road
Hope Mills, NC 28348

Charles Adam Cogdell
1521 Laguardia Dr
Hope Mills, NC 28348

Maria Demilia
1512 Dulles Road
Hope Mills, NC 28348

Carlos Warlis & Josefina Diaz
4733 Gander Way
Hope Mills, NC 28348

Kristina Ducheine
4821 Kiara Dr
Hope Mills, NC 28348

Connie M. Freeman - Life Estate
1413 Cypress Lakes Rd
Hope Mills, NC 28348

Virginia M. French
1504 Dulles Rd
Hope Mills, NC 28348

John L. & Caroline A. Gibbs
4804 Kiara Dr
Hope Mills, NC 28348

Jayshaun & Ashley Givens
1516 Laguardia Dr
Hope Mills, NC 28348

Jordan E. & Katy M. Goers
1524 Laguardia Dr
Hope Mills, NC 28348

Thomas & Theresa Grosso
4808 Kiara Dr
Hope Mills, NC 28348

Richard H. & Theresa R. Hall
4721 Gander Way
Hope Mills, NC 28348

Henry Frank Jr. & Letia Hammond
1513 Laguardia Dr
Hope Mills, NC 28348

Timothy Hammonds, Jr.
1450 Laguardia Dr
Hope Mills, NC 28348

Hape, LLC
1449 Cypress Lakes Rd
Hope Mills, NC 28348

Thomas J. Jr. & Leslie Ann Haskins
4709 Gander Way
Hope Mills, NC 28348

Clay E. & Jill Hernly
1509 Dulles Rd
Hope Mills, NC 28348

Joyce Hicks
1345 Cypress Lakes Rd
Hope Mills, NC 28348

Bobby G. Hicks Heirs & Ramona Raeford
1384 Cypress Lake Rd
Hope Mills, NC 28348

William Aubrey & Laura Willey Hinson
4812 Kiara Dr
Hope Mills, NC 28348

Chad & Brandie A. Hume
1520 Dulles Rd
Hope Mills, NC 28348

Eric C. & Danielle L. Hurley
1516 Dulles Rd
Hope Mills, NC 28348

J.M.B.B., LLC
3508 Tree Ring Ct
Fayetteville, NC 28306

Brandi L. Kaigler-Jackson
Giovaughn Jackson
4704 Gander Way
Hope Mills, NC 28348

John Patrick Kelly
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Hope Mills, NC 28348

Jeffrey A. Latkovich
74 Spotswood Dr
Spotswood, NJ 08884

Jeffrey A. Latkovich
4800 Kiara Dr
Hope Mills, NC 28348

Robert T. Jr. & Jill A. Laverick
4825 Kiara Dr
Hope Mills, NC 28348

Sharon N. Lipscomb
1473 Cypress Lake Rd
Hope Mills, NC 28348

Nickolus Michael & Alyssa L. Liquori
1512 Laguardia Dr
Hope Mills, NC 28348

Zelma Addin Lopez
Carmelo Lopez-Williams
4716 Gander Way
Hope Mills, NC 28348

Eric Lamar McAllister - Trustee
PO BOX 294
St Pauls, NC 28348

Roger Dennis McAllister, Jr
1401 Leander Ln
Hope Mills, NC 28348

Roger D. Sr & Shirley McAllister
1432 Sand Hill Rd
Hope Mills, NC 28348

John & Valerie McMillan
1517 Dulles Rd
Hope Mills, NC 28348

Valeria McMillan
4724 Gander Way
Hope Mills, NC 28348

Adilson L. Mieses Rodriguez
Luz D Mercedes Walker
Mieses Rodriguez
4725 Gander Way
Hope Mills, NC 28348

David & Carlene Lopez Morales
4713 Gander Way
Hope Mills, NC 28348

Monroe Morris, Renee Morris
Teresa Matthews
299 Isabella Ave
Irvington, NJ 07111

Jeffrey T. & Jodie Nance
4820 Kiara Dr
Hope Mills, NC 28348

Jerome Sie Ouattara & Okayo Marie
Esther France Ouattara
1449 Dulles Rd
Hope Mills, NC 28348

Merle R. Prewitt
2126 Cypress Lakes Rd
Hope Mills, NC 28348

Donald P & Towanda Raye
1422 Sandhill Rd
Hope Mills, NC 28348

Caleb & Maddison Ritchey
4720 Gander Way
Hope Mills, NC 28348

Irene Sansbury - Life Estate
1376 Sand Hill Rd
Hope Mills, NC 28348

Edward Charles III & Shawna Shelley
1505 Dulles Rd
Hope Mills, NC 28348

Henry F. & Debra C. Shotwell
4729 Gander Way
Hope Mills, NC 28348

Frederick M. & Shaquetta P. Sinclair
1501 Dulles Rd
Hope Mills, NC 28348

Calvin M. & Agnes B. Smith
PO BOX 838
Hope Mills, NC 28348

Chad E. & Julie Smith
1454 Laguardia Dr
Hope Mills, NC 28348

Tate A. Stanley & Jessica N. Taylor
1453 Dulles Rd
Hope Mills, NC 28348

The Thelma Revocable Living Trust
3217 Coachmans Way
Durham, NC 27705

Thomas Jr. & Louanne Webb
1517 Laguardia Dr
Hope Mills, NC 28348

William R. Homes LLC
8000 Corporate Drive Ste 100
Charlotte, NC 28226

Freeman A. Jr. & Tik V. Williams
1508 Dulles Rd
Hope Mills, NC 28348

Leyni Melody Williams
1513 Dulles Rd
Hope Mills, NC 28348

Sonya Drusilla Wilson
4817 Kiara Dr
Hope Mills, NC 28348

Timothy & Kristy Wood
4728 Gander Way
Hope Mills, NC 28348

Min Hui Yang & Wang Meng
1508 Laguardia Dr
Hope Mills, NC 28348

Sammy Lee Iv & Monica N. Yankaway
4712 Gander Way
Hope Mills, NC 28348

Brian K. & Jennifer S. Young
1451 Laguardia Drive
Hope Mills, NC 28348

Corey Terrill & Patricia Young
1509 Laguardia Dr
Hope Mills, NC 28348

Logan Michael & Dana Yustin
4717 Gander Way
Hope Mills, NC 28348

Gail P. Zahran
1101 Belmont Cir
Fayetteville, NC 28305

ATTACHEMENT: Application



County of Cumberland
Planning & Inspections Department

CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

**APPLICATION FOR
REZONING REQUEST
CUMBERLAND COUNTY ZONING ORDINANCE**

The following items are to be submitted with the completed application:

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered;
3. A check made payable to "Cumberland County" in the amount of \$ 270.00.
(See attached Fee Schedule).

Rezoning Procedure:

1. Completed application submitted by the applicant.
2. Notification to surrounding property owners.
3. Planning Board hearing.
4. Re-notification of interested parties / public hearing advertisement in the newspaper.
5. County Commissioners' public hearing (approximately four weeks after Planning Board public hearing)
6. If approved by the County Commissioners, rezoning becomes effective immediately.

The Planning & Inspections Staff will advise on zoning options, inform applicants of development requirement and answer questions regarding the application and rezoning process. For further questions, call (910)678-7603 or (910)678-7609. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

NOTE: Any revisions, inaccuracies or errors to the application may cause the case to be delayed and will be scheduled for the next available board meeting according to the board's meeting schedule. Also, the application fee is *nonrefundable*.

**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, the following facts are submitted:

1. Requested Rezoning from A1 to R15
2. Address of Property to be Rezoned: end of Laguardia Drive
3. Location of Property: end of Laguardia Drive
4. Parcel Identification Number (PIN #) of subject property: 0433306897000
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 6 Frontage: 51' Depth: 650'
6. Water Provider: Well: _____ PWC: X Other (name): _____
7. Septage Provider: Septic Tank _____ PWC X
8. Deed Book 11325, Page(s) 757, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Vacant/wooded
10. Proposed use(s) of the property: Single family residential subdivision
11. Do you own any property adjacent to or across the street from this property?
Yes _____ No X If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No X

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must accompany the deeds and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.

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

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

William R. Homes, LLC

NAME OF OWNER(S) (PRINT OR TYPE)

8000 Corporate Center Drive, Suite 100, Charlotte, NC 28226

ADDRESS OF OWNER(S)

704-877-1178

HOME TELEPHONE #

WORK TELEPHONE #

4D Site Solutions, Inc - Scott Brown

NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

409 Chicago Drive, Suite 112, Fayetteville, NC 28306

ADDRESS OF AGENT, ATTORNEY, APPLICANT

sbrown@4dsitesolutions.com

E-MAIL

910-489-6731

HOME TELEPHONE #

910-426-6777

WORK TELEPHONE #

SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

The contents of this application, upon submission, become "public record."



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF FEBRUARY 15, 2022

TO: JOINT PLANNING BOARD

FROM:

DATE:

SUBJECT: INTRODUCTION OF NEW STAFF