

Clarence Grier
County Manager

Sally Shutt
Assistant County
Manager



Rawls Howard
Director

David Moon
Deputy Director

CUMBERLAND COUNTY JOINT PLANNING BOARD

AGENDA

August 15, 2023

6:00 PM

Hearing Room #3

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. ADJUSTMENTS TO / APPROVAL OF AGENDA
- III. PUBLIC MEETING WITHDRAWALS / DEFERRALS
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. APPROVAL OF THE MINUTES

A. MINUTES OF AUGUST 15, 2023

- VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE
- VII. PUBLIC MEETING CONSENT ITEMS

REZONING CASES

- B. Case ZNG-008-23: Rezoning of 2.27+/- acres to C(P) Planned Commercial District or to a more restrictive zoning district, located at corner of Legion Rd and Elk Rd REIDs 0424086776000 and 0424088534000, submitted by the TIL Holdings of Texas, LLC (agent) on behalf of Myron Kent Dove; Judy Dove; John D. Dove, Jr; Gail Dove; Kimberly McGill Dove Trustee (owners). (Hope Mills)**
- C. Case ZON-23-0020: Rezoning from A1 Agricultural District to R40A Residential District or to a more restrictive zoning district for 2.4 +/- acres; located at 6602 Murphy Road, submitted by Cynthia Coe (applicant/owner).**

- VIII. PUBLIC MEETING CONTESTED ITEMS

REZONING CASES

- D. Case ZNG-006-23: Rezoning of 4.01+/- acres from the PND Planned Neighborhood Development district to the C(P)/CZ Planned Commercial District/Conditional Zoning District; located at 0 Golfview Rd REID 0414127031000, presented by JNM of NC, Inc (agent) on behalf of JNM of NC, Inc (owner). (HOPE MILLS)**

- IX. DISCUSSION

E. NC AMERICAN PLANNING ASSOCIATION STATE CONFERENCE

X. ADJOURNMENT

Historic Cumberland County Courthouse | 130 Gillespie Street | P.O. Box 1829 |
Fayetteville, North Carolina 28301 | Phone: 910-678-7600 | Fax: 910-678-7631
www.cumberlandcountync.gov



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF AUGUST 15, 2023

TO: JOINT PLANNING BOARD

FROM: PLANNING & INSPECTIONS DEPARTMENT

DATE: 8/15/2023

SUBJECT: MINUTES OF AUGUST 15, 2023

ATTACHMENTS:

Description

Minutes of July 18, 2023

Type

Backup Material

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County Manager

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Cumberland County Joint Planning Board

MINUTES

July 18, 2023

Members Present	Members Absent	Others Present
Mr. Stan Crumpler, Chair	Ms. Kasandra Herbert	Mr. Rawls Howard
Mrs. Jami McLaughlin, Vice-Chair	Mr. William Walters	Mr. David Moon
Mr. Tom Lloyd	Mr. James Baker	Mrs. Alyssa Garcia
Mrs. Susan Moody		Mr. Christopher Portman
Mr. Mark Williams		Mr. Chris Carr, Asst. County Attorney
Mr. Gary Burton		Mrs. Laverne Howard
Mr. Todd Mobley		Mr. Timothy Doersam
		Mr. Telly Shinas

I. INVOCATION AND PLEDGE OF ALLEGIANCE

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

II. SWEARING IN OF BOARD MEMBERS

Chair Crumpler swore in Mr. Mobley, Mrs. McLaughlin, Mr. Williams, and Mr. Lloyd

III. ELECTION OF OFFICERS

Mrs. McLaughlin advised the Board that the Nominations Committee recommends that Mrs. McLaughlin be nominated Chairman of the Board and Mr. Lloyd be nominated as Vice-Chairman for the next year.

Mrs. Moody made a motion, seconded by Mr. Burton to accept the recommendation for officers for next year. Unanimous approval.

After the election, the new Board was seated with Mrs. McLaughlin serving as Chair and Mr. Lyod, Vice Chair for the remainder of the meeting.

IV. ADJUSTMENTS TO / APPROVAL OF AGENDA

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Mr. Howard advised the Board that Case ZON-23-0014 would be moved to Contested Items.

Mrs. Moody made a motion, seconded by Mr. Crumpler to approve the adjustment to the agenda. Unanimous approval.

V. PUBLIC MEETING DEFERRAL

Mr. Chancer McLaughlin, Planning Director / Interim Town Manager, advised the board that the applicant for Case ZNG-006-23 asked that the case be deferred back to Hope Mills staff for thirty days. The applicant would like to amend the application to a conditional zoning request.

Mrs. Moody made a motion, seconded by Mr. Lloyd to approve the deferral. Unanimous approval.

VI. ABSTENTIONS BY BOARD MEMBERS

There were none.

VII. APPROVAL OF THE MINUTES OF JUNE 20, 2023

Mr. Crumpler made a motion, seconded by Mr. Burton to approve the minutes as submitted. Unanimous approval.

VIII. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE

Chair McLaughlin read the welcome and rules of procedure.

IX. PUBLIC MEETING CONSENT ITEMS

TEXT AMENDMENTS

- A. **ZON-23-0016:** Text Amendment to the Cumberland County Zoning Ordinance to update and reflect the name change of Fort Bragg military base to Fort Liberty; submitted by Planning & Inspections Staff (applicant).

In Case ZON-23-0016, Planning & Inspections staff recommends approval of the text amendment and finds the request consistent with the 2030 Growth Vision Plan because, while specific land use plan policies do not address a comprehensive update to the County's Zoning Ordinance, a current ordinance that is in compliance with Federal law



Cumberland County Joint Planning Board

allows the department to continue to provide efficient and effective services to achieve goals laid out not only in the 2030 Growth Vision Plan, but all detailed land use plans within the County. Approval of this text amendment is also reasonable and in the public interest as it is a comprehensive update to clarify standards and review processes for the public.

In Case ZON-23-0016, Mrs. Moody made a motion, seconded by Mr. Burton to recommend approval of the text amendment and finds the request consistent with the 2030 Growth Vision Plan because, while specific land use plan policies do not address a comprehensive update to the County's Zoning Ordinance, a current ordinance that is in compliance with Federal law allows the department to continue to provide efficient and effective services to achieve goals laid out not only in the 2030 Growth Vision Plan, but all detailed land use plans within the County. Approval of this text amendment is also reasonable and in the public interest as it is a comprehensive update to clarify standards and review processes for the public. Unanimous approval.

- B. **ZON-23-0017:** Text Amendment to the Town of Linden Zoning Ordinance to update and reflect the name change of Fort Bragg military base to Fort Liberty; submitted by Town of Linden (applicant). **(Linden)**

In Case ZON-23-0017, Planning & Inspections staff recommends approval of the text amendment and finds the request consistent with the 2030 Growth Vision Plan because, while specific land use plan policies do not address a comprehensive update to the Town of Linden's Zoning Ordinance, a current ordinance that is in compliance with Federal law allows the Town and department to continue to provide efficient and effective services to achieve goals laid out not only in the 2030 Growth Vision Plan, but all detailed land use plans within the Town of Linden. Approval of this text amendment is also reasonable and in the public interest as it is a comprehensive update to clarify standards and review processes for the public.

In Case ZON-23-0017, Mrs. Moody made a motion, seconded by Mr. Burton to recommend approval of the text amendment and finds the request consistent with the 2030 Growth Vision Plan because, while specific land use plan policies do not address a comprehensive update to the Town of Linden's Zoning Ordinance, a current ordinance that is in compliance with Federal law allows the Town and department to continue to provide efficient and effective services to achieve goals laid out not only in the 2030 Growth Vision Plan, but all detailed land use plans within the Town of Linden. Approval of this text amendment is also reasonable and



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in the public interest as it is a comprehensive update to clarify standards and review processes for the public. Unanimous approval.

- C. **ZON-23-0018:** Text Amendment to the Town of Spring Lake Zoning Ordinance to update and reflect the name change of Fort Bragg military base to Fort Liberty; submitted by Town of Spring Lake (applicant). **(Spring Lake)**

In Case ZON-23-0018, Planning & Inspections staff recommends approval of the text amendment and finds the request consistent with the 2030 Growth Vision Plan because, while specific land use plan policies do not address a comprehensive update to the Town of Spring Lake's Zoning Ordinance, a current ordinance that is in compliance with Federal law allows the Town and department to continue to provide efficient and effective services to achieve goals laid out not only in the 2030 Growth Vision Plan, but all detailed land use plans within the Town of Spring Lake. Approval of this text amendment is also reasonable and in the public interest as it is a comprehensive update to clarify standards and review processes for the public.

In Case ZON-23-0018, Mrs. Moody made a motion, seconded by Mr. Burton to recommend approval of the text amendment and finds the request consistent with the 2030 Growth Vision Plan because, while specific land use plan policies do not address a comprehensive update to the Town of Spring Lake's Zoning Ordinance, a current ordinance that is in compliance with Federal law allows the Town and department to continue to provide efficient and effective services to achieve goals laid out not only in the 2030 Growth Vision Plan, but all detailed land use plans within the Town of Spring Lake. Approval of this text amendment is also reasonable and in the public interest as it is a comprehensive update to clarify standards and review processes for the public. Unanimous approval.

- D. **ZON-23-0019:** Text Amendment to the Cumberland County Subdivision Ordinance to update and reflect the name change of Fort Bragg military base to Fort Liberty; submitted by Planning & Inspections Staff (applicant).

In Case ZON-23-0019, Planning & Inspections staff recommends approval of the text amendment and finds the request consistent with the 2030 Growth Vision Plan because, while specific land use plan policies do not address a comprehensive update to the County's Subdivision Ordinance, a current ordinance that is in compliance with Federal law allows the department to continue to provide efficient and effective services to achieve goals laid out not only in the 2030 Growth Vision Plan, but all detailed land use plans within



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the County. Approval of this text amendment is also reasonable and in the public interest as it is a comprehensive update to clarify standards and review processes for the public.

In Case ZON-23-0019, Mrs. Moody made a motion, seconded by Mr. Burton to recommend approval of the text amendment and finds the request consistent with the 2030 Growth Vision Plan because, while specific land use plan policies do not address a comprehensive update to the County's Subdivision Ordinance, a current ordinance that is in compliance with Federal law allows the department to continue to provide efficient and effective services to achieve goals laid out not only in the 2030 Growth Vision Plan, but all detailed land use plans within the County. Approval of this text amendment is also reasonable and in the public interest as it is a comprehensive update to clarify standards and review processes for the public. Unanimous approval.

REZONING CASES

- D. **ZNG-007-23:** Initial zoning of 2.30+/- acres to the C(P) Planned Commercial District; located at 0 Chickenfoot Rd REID 0423332619000; submitted by the Town of Hope Mills (agent) on behalf of Fayetteville (Chickenfoot) WW, LLC (owner). **(Hope Mills)**

In Case ZNG-007-23, the Town of Hope Mills Planning staff recommends approval of the initial zoning request to the C(P) Planned Commercial District and finds that the request is consistent with the Southwest Cumberland Land Use Plan (2013) designation and complements the existing zoned properties adjacent to the subject property that are slated for similar developments. The economic and regional impact of the proposed development fits within the vision and long-term outlook of the area developed to the immediate south. Approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding existing uses and zoning.

In ZNG-007-23, Mrs. Moody made a motion, seconded by Mr. Burton to recommend approval of the initial zoning request to the C(P) Planned Commercial District and finds that the request is consistent with the Southwest Cumberland Land Use Plan (2013) designation and complements the existing zoned properties adjacent to the subject property that are slated for similar developments. The economic and regional impact of the proposed development fits within the vision and long-term outlook of the area developed to the immediate south. Approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding existing uses and zoning. Unanimous approval.



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- E. **ZON-23-0012:** Rezoning from R6 Residential District to C-1 Local Business District or to a more restrictive zoning district for 1.20 +/- acres; located at 206 Ziglar Circle, submitted by Raymond Sharp (applicant) on behalf of Shirley Parker Newsome Trustee (owner). **(Spring Lake)**

In Case ZON-23-0012, Planning and Inspections staff recommends approval of the rezoning request from R-6 Residential District to C-1 Local Business District. Staff finds the request is consistent with the Spring Lake Area Land Use Plan which calls for "Commercial" at this location. Staff finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the character of the surrounding area.

In Case ZON-23-0012, Mrs. Moody made a motion, seconded by Mr. Burton to recommend approval of the rezoning request from R-6 Residential District to C-1 Local Business District. The Board finds the request is consistent with the Spring Lake Area Land Use Plan which calls for "Commercial" at this location. The Board finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the character of the surrounding area. Unanimous approval.

- F. **ZON-23-0015:** Rezoning from R40A Residential District to R6 Residential District or to a more restrictive zoning district for 23.28 +/- acres; located at the west side of Godwin Falcon Road and north of Moses Road, submitted by Willie J. and Shirley Mae Burnette (applicant/owner). **(Godwin)**

In Case ZON-23-0015, Planning and Inspections staff recommends approval of the rezoning request from R40A Residential District to R6 Residential District. Staff finds the request is consistent with the Northeast Cumberland Land Use Plan which calls for "Suburban Residential" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

In Case ZON-23-0015, Mrs. Moody made a motion, seconded by Mr. Burton to recommend approval of the rezoning request from R40A Residential District to R6 Residential District. The Board finds the request is consistent with the Northeast Cumberland Land Use Plan which calls for "Suburban Residential" at this location. The Board also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning. Unanimous approval.

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X. PUBLIC MEETING CONTESTED ITEMS

CONDITIONAL ZONING CASE

G. **ZON-23-0014:** Conditional rezoning from C1(P) Planned Local Business District and M(P) Planned Industrial District to M(P)/CZ Planned Industrial District Conditional Zoning or a more restrictive zoning district for 10.58 +/- acres, located at the northwest corner of Middle River Loop Road and River Road, submitted by Garret Fulcher (agent) on behalf of Fulcher Real Estate, LLC (owner).

Mrs. Garcia and Mr. Moon presented the case information and photos.

In Case ZON-23-0014, Planning and Inspections staff recommends approval of the rezoning request from C1(P) Planned Local Business District and M(P) Planned Industrial District to M(P)/CZ Planned Industrial District Conditional Zoning. Staff finds the request is consistent with the Eastover Land Use Plan which calls for "Industrial" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Mr. Moon presented the conditions of the case that were presented to the applicant. Mr. Moon explained that all conditions of approval were accepted by the applicant except for the sewer connection requirement. Mr. Moon explained that the ordinance requires the applicant to connect the site if certain thresholds are met regarding availability. He explained that it is staff's opinion that the thresholds are met for connection. However, the applicant has concerns about the site and system's current limitations and feasibility and wanted to amend this condition.

Mr. Howard explained that the desire to connect people, businesses, and properties to sewer is there by the Board of Commissioners and staff feel that they should try to connect to sewer being that it is industrially zoned and it's at a major intersection. However, Mr. Howard explained that since the request is conditional, the Board could negotiate or waive the requirement if the Board deemed it appropriate and the applicant agreed.

There was further discussion about the conditions for connecting to sewer and when and how long the applicant had the opportunity to review the conditions he was presented with and any future annexation plans.

Public meeting opened.

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Mr. Garret Fulcher spoke in favor. Mr. Fulcher explained that he couldn't tie into sewer because the sewer doesn't serve the adjoining property as it goes to the substation which is located on the adjacent property. He mentioned two properties down does, and they can't tie into it as PWC won't allow tying directly into a substation. Mr. Fulcher asked that the board approve the request with the condition that if the sewer can't be done in time, they could put in a temporary septic system until the right-of-way or easement could be acquired for future connection.

Mr. Kenneth Smith spoke in favor. Mr. Smith stated that the intent was to open discussion about sewer, they are not opposed to it, but the biggest concern is getting the building erected now. If nothing else the conditions could be amended until they could eventually extend the sewer. They are willing to do a temporary septic system and they are trying to follow everything that is being required and offered a condition to be added to the request to that effect.

Mr. Crumpler spoke and felt as though if they are making good faith progress with PWC, then that should be considered.

Mr. Moon advised the Board that there is an existing ordinance standard that states if conditions are not met with a two-year period for a conditional zoning, the Board is authorized to rezone the property back to the original district.

Mr. Crumpler reemphasized that if the applicant does nothing, then the Board can petition to change the district back and that the applicant was willing to place a condition on the request to delay connection as they work with PWC, so they can get started on their project.

Mr. Howard indicated that staff has no issues with a condition being added for a timed connection to sewer.

There was discussion about setbacks and building vesting from the applicant and the Board. Mr. Moon stated that staff was in concurrence with the 45-foot setback for the existing building. He also assured the Board and applicant that the site could be rebuilt as existing if in conformance with the attached site plan that was part of the accepted conditions.

Mrs. Moody made a motion, seconded by Mr. Lloyd to close the public meeting. Unanimous approval.

Chair McLaughlin closed the public meeting.

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There was one person who wanted to speak but did not sign up, so Chair McLaughlin reopened the public meeting.

Mr. Albert Nunnery spoke in opposition, Mr. Nunnery stated the applicants are his immediate neighbors, and his concern is the issues he has with flooding due to a ground drain that the applicant put in. Mr. Nunnery feels the rezoning should be denied because he doesn't know how this will affect his property with regards to drainage.

Mr. Swift addressed the concern of the neighbor regarding drainage. He stated that they would be required to follow all State regulations regarding stormwater controls and drainage.

Mr. Crumpler asked about the provision of detention ponds and infrastructure.

Mr. Swift stated that they would be installing all required infrastructure to capture the water.

Chair McLaughlin closed the public meeting.

Mr. Crumpler made a motion, seconded by Mr. Lloyd to approve the rezoning request from C1(P) Planned Local Business District and M(P) Planned Industrial District to M(P)/CZ Planned Industrial District Conditional Zoning as presented by staff with an amended condition 2a on the condition sheet that gives the applicant two years to work with PWC to connect to sewer and in the meantime an on-site septic tank can be used until and if connection to sewer occurs. The Board finds the request is consistent with the Eastover Land Use Plan which calls for "Industrial" at this location. The Board also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning. Unanimous approval.

Mr. Lloyd said he had an item for discussion.

Mrs. Moody noted that there was nothing listed under discussion and an adjustment wasn't made to the agenda.

Chair McLaughlin recognized Mr. Lloyd and his discussion item.

XI. DISCUSSION

Mr. Lloyd brought up his concerns with the plat review process, plan expiration, and submittal procedure. Mr. Howard addressed some of Mr. Llyod's concerns but offered to

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talk about his issues outside of the stated meeting as his concerns were administrative in nature.

XII. ADJOURNMENT

There being no further business, the meeting adjourned at 7:34 pm



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF AUGUST 15, 2023

TO: JOINT PLANNING BOARD

FROM: PLANNING & INSPECTIONS DEPARTMENT

DATE: 8/15/2023

SUBJECT: CASE ZNG-008-23: REZONING OF 2.27+/- ACRES TO C(P) PLANNED COMMERCIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT CORNER OF LEGION RD AND ELK RD REIDS 0424086776000 AND 0424088534000, SUBMITTED BY THE TIL HOLDINGS OF TEXAS, LLC (AGENT) ON BEHALF OF MYRON KENT DOVE; JUDY DOVE; JOHN D. DOVE, JR; GAIL DOVE; KIMBERLY MCGILL DOVE TRUSTEE (OWNERS). (HOPE MILLS)

ATTACHMENTS:

Description

Case ZNG-008-23

Type

Backup Material



STAFF REPORT

REZONING CASE# ZNG-008-2023

Planning Board Meeting: 8-15-2023

Hope Mills Board Meeting: 9-18-2023

Address: 4215 LEGION ROAD

ZONING REQUEST: Rezoning to C(P) Planned Commercial District

The Town of Hope Mills staff received an application, requesting rezoning for 2.27 +/- acres of land tied to parcel identification numbers 0424-08-6776 and 0424-08-8534. The subject property is adjacent to the Coffman Common Shopping Center and a residential home, across the street from the Neighborhood Wal-Mart Shopping Center as well as across the street from a Circle K. Please refer to the attached memorandum from the Hope Mills Plan Review Committee for recommendations from all pertinent engineering and permit based departments. The location of the subject property is illustrated in Exhibit "A".

SUBJECT PROPERTY INFORMATION

OWNER/APPLICANT:

TIL Holdings of Texas, LLC (agent) on behalf of Myron Kent Dove; Judy Dove; John D. Dove, Jr.; Gail Dove; Kimberly McGill Dove Trustee (owners)

ADDRESS/LOCATION: 4215 Legion Rd;
REIDs: 0424086776000 and 0424088534000
For additional Information on the site location, refer to Exhibit "A"

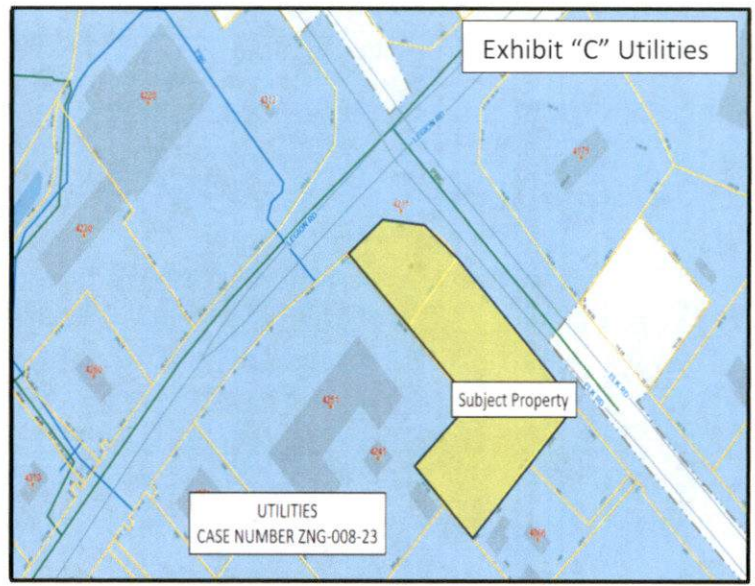
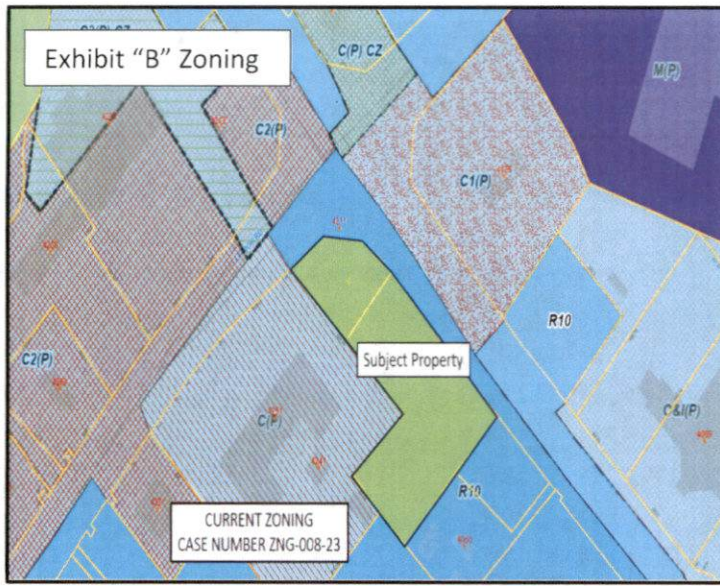
SIZE: As stated above, the subject property 2.27 acres size with varying lengths of depth is being looked at today.

EXISTING ZONING: The subject property is currently zoned under the R10 Residential District with the area to the immediate east being a Circle K and is zoned C1(P) Planned Local Business District. The area to the immediate west is the Coffman Commons Shopping Center which is zoned under the C(P) Planned Commercial District. Other areas nearby include the Neighborhood Wal-Mart Shopping Center which is zoned C2(P) Planned Service and Retail District as well as a residential home and Southview High School.

EXISTING LAND USE: The subject property is currently vacant.

OTHER SITE CHARACTERISTICS: Exhibit "C" provides the location of water and sewer availability.

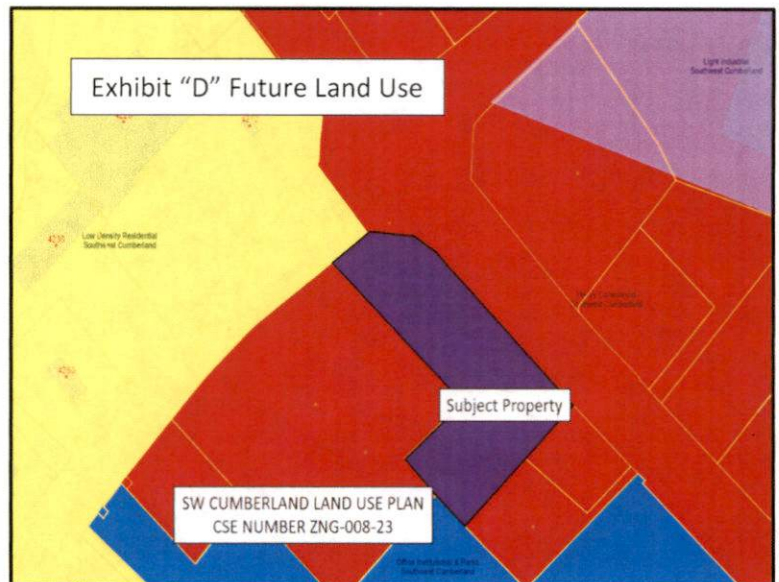




DEVELOPMENT REVIEW: The development of this property will require a site plan and development review.

COMPREHENSIVE DEVELOPMENT PLANS:

This site is located within the Southwest Cumberland Land Use Plan area (2013) and is designated as "Heavy Commercial". This request is consistent with the land use plan and is supported by staff as it is located adjacent to several other commercial developments such as Coffman Commons Shopping Center, Circle K, the Neighborhood Wal-Mart Shopping Center and more. Please refer to Exhibit "D" for additional information.



IMPACTS ON AREA FACILITIES

PUBLIC WORKS: When developed, the driveway permit will have to be obtained through NCDOT, otherwise, the regular Hope Mills Standards and Specifications will apply.

UTILITIES: The property will be served by PWC water and sewer.

STORMWATER: Will require Stormwater Management Permit application, is located in the Airport Overlay District nor in any floodplains.

PLAN REVIEW COMMENTS: The Town of Hope Mills Plan Review team has no objections to this request.

SPECIAL OVERLAY DISTRICTS: The subject property is located within the boundaries of the Airport Overlay District.

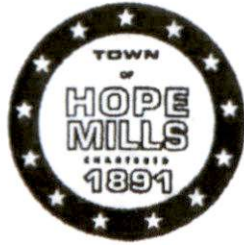
TRAFFIC: FAMPO stated that the subject property will have no significant impact on the Transportation Improvement Program.

ECONOMIC DEVELOPMENT: Fayetteville Cumberland Economic Development Corporation has reviewed the request and reported no objections.

CODE DEVIATIONS: None.

STAFF RECOMMENDATION

In ZNG-008-23, the Town of Hope Mills Planning staff **recommends approval** of the rezoning request to the C(P) Planned Commercial district and finds that the request is consistent with the Southwest Cumberland Land Use Plan (2013) designation and that it does complement the future vision of the Town of Hope Mills in regards to the future plans of the adjacent parcels. The economic and regional impact of the proposed development fits within the vision and long-term outlook of the area in regards to economic development viability. Approval of the request is reasonable and in the public interest because the district requested is compliments the proposed development of adjacent parcels in the surrounding area.



Town of Hope Mills

Planning Department

CASE NO.: ZNG-008-23

ZONING BOARD
MEETING DATE: 8/15/23

DATE APPLICATION
SUBMITTED: 7/21/23

RECEIPT NO.: R00023374

RECEIVED BY: GAW

APPLICATION FOR REZONING HOPE MILLS ZONING ORDINANCE

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

1. A copy of the *recorded* deed and/or plat;
2. If portion(s) of an existing tract is/are being submitted for rezoning, an accurate written legal description of only the area to be considered for the rezoning; and
3. A check made payable to "Town of Hope Mills" in the amount of \$ 600.00.
(See attached Fee Schedule).

Rezoning Procedure:

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

The Town Planning Staff may advise on zoning options, inform applicants of development requirements and answer questions regarding the application and rezoning process. For questions, call (910)424-4555. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

NOTE: Any revisions, inaccuracies or errors to/on the application may cause the case to be delayed and re-scheduled for the next available Board meeting according to the Board's meeting schedule. Also, the application fee is *nonrefundable* once processing of the application has begun.

TO THE ZONING BOARD AND THE TOWN OF HOPE MILLS BOARD OF COMMISSIONERS, HOPE MILLS, NORTH CAROLINA:

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

1. Requested Rezoning from R-10 to C(P)

If the area is a portion of an existing parcel, a written metes and bounds description of only that portion to be considered for rezoning, including the exact acreage must accompany this application along with a copy of the recorded deed 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.

2. Address/location of property to be Rezoned: 4215 Legion Rd., Hope Mills, NC 28348
3. Parcel Identification Number (PIN #) of property: 0424-08-6776 & 0424-08-8534
(also known as Tax ID Number or Property Tax ID)
4. Acreage: 2.27 Frontage: 120' Legion 385' EIL Depth: 120' shortest spot 245' widest spot (see attached)
5. Water Provider: Well: _____ PWC: ☒
6. Septage Provider: Septic Tank _____ PWC ☒ Other (name) _____
7. Deed Book 7410, Page(s) 626 & 622 Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).
8. Existing use(s) of property: Vacant raw land
9. Proposed use(s) of the property: Tommy's Express Car Wash
10. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes _____ No ☒
If yes, where? _____
11. Has a violation been issued on this property? Yes _____ No ☒

The Planning 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 Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

SEE ATTACHED LETTER FROM OWNER
Property owner(s)' name (print or type)

Complete mailing address of property owner(s)

Telephone number

Alternative telephone number

E-mail address

Fax number

TIL Holdings of Texas, LLC
Agent, attorney, or applicant (other than property owner) (print or type)

1225 Mercedes Benz Drive Shreveport La 71115
Complete mailing address of agent, attorney, or applicant

318-698-5770
Telephone number

704-506-7511
Alternative telephone number

jdbuseick@team-tommys.com
E-mail address

318-797-0504
Fax number

Owner's signature


Agent, attorney, or applicant's signature
(other than property owner)

Owner's signature

Upon submission, the contents of this application becomes "public record" and is available for review and/or copies upon request.

7410
0622

BK74100622

053613

BK66006347

RECEIVED

11-3-2006 AM 10:20:46

J. LEE WARREN JR.
REGISTER OF DEEDS
CUMBERLAND CO., N.C.

RECEIVED

7-22-2004 PM 4:30:10

J. LEE WARREN JR.
REGISTER OF DEEDS
CUMBERLAND CO., N.C.

Excise Tax 0

Do NOT write above this line.

Recording: Time, Book and Page

North Carolina Quitclaim Deed

This instrument prepared by: Robert A. Hasty, Jr., Attorney at Law, P.O. Drawer 2737, Fayetteville,
Brief description for the index 1.97 acres, Elk Drive N.C. 28302

This Deed made this 22 day of July, 2004, by and between Grantor and Grantee:

Enter in appropriate block for each party: Name, address, county, state and if appropriate entity (i.e. corporation, partnership). The designation Grantor and Grantee as used herein shall include all parties, their heirs, successors and assigns and shall include singular, plural, masculine, feminine or neuter as required by context.

Grantor: (Life Estate) Wanda Sue Smith

Wanda Sue Smith, 835 West Britt Street, St. Pauls, N.C. 28384.

Grantee: John D. Dove, Jr. & wife, Gail Dove, 2625 Nottingham Road, Roanoke, VA 24014;
(each Myron Kent Dove & wife, Judy Dove, 8001 Shillingstone Place, Raleigh, NC 27615;
1/3 Kimberly McGill Dove, Trustee for Spencer Loftis Dove, 110 North Bloodworth St.,
interest) Raleigh, NC 27601

Transfer of Ownership: Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has remised and released and does hereby remise, release and forever quitclaim to Grantee, the Property described below:

Property: City of Hope Mills
Township of Rockfish, County of Cumberland, North Carolina.

This property was acquired by Grantor by an instrument recorded in Book 1033 Page 533 Cumberland County.
And showing the property is located in Plot Book 1033 Page 533 Cumberland County.
The legal description of the property is:

This property was acquired by Grantor as a life estate in the Last Will & Testament of John D. Dove, 99E385, and as part of the property address known as: 4215 Legion Road, Hope Mills, NC 28348 (previously 3404 Legion Road).

The following legal description of the property was obtained from a prior Deed, Book 1033 Page 533.

Lying on the east side of a dirt road leading from Hope Mills to Lakedale and about one mile from Hope Mills, BEGINNING at an iron pipe in the east margin of said road G.W. Hughes northwest corner and runs thence with Hughes line south 43 degrees east 10 chains to a stake; thence north 52 1/2 degrees east 5 chains to a stake; thence north 45 degrees west 10 chains to a stake beside the road in front of Neill R. Biggs house; thence south 52 1/2 degrees west 5 chains to the beginning, containing 5 acres, as surveyed by A.E. McLean, Surveyor, September 14, 1953, all bearings taken from magnetic needle as of that date, and are subject to vary.

SAVING AND EXCEPTING, however, from the land above described the follow-two tracts which have heretofore been conveyed by the Grantors herein:

TRACT ONE:

BEGINNING at an iron pipe on the east side of above mentioned road at G.W. Hughes northwest corner and the southwest corner of the tract of which it is a part, and runs thence north 52 degrees and 30 minutes east 150 feet to a stake; thence south 45 degrees east 330 feet to a stake; thence south 52 degrees and 30 minutes west 150 feet to a stake; thence north 45 degrees west 330 feet to the beginning, and being a part of five acres described in deed recorded in Book 626, page 219, Cumberland County Registry.

Tract # One was sold by grantors, Fred T. Herring, Sr., and wife, Myrtle M. Herring to Fred J. Duncan and wife, Lonnie C. Duncan, by deed dated June 6, 1959 and registered in Book 777, page 312, Cumberland County Registry.

This Quitclaim Deed is being re-recorded to clarify the intent of the Grantor herein to relinquish her life estate in the above described property so title can be free and clear of said life estate and pass to Grantees unencumbered.

After recording mail to: Robert A. Hasty, Jr., Esq.

Anderson, Johnson, Lawrence, Butler & Back
Post Office Drawer 2737

Fayetteville NC 28302

Tax Lot No.

Parcel Identifier No. 0424-08-8534

Verified By _____ County,

on the _____ day of _____, 20____.

By _____

20.00

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BK6600PG348

Continued from Page 1

TRACT TWO: BK7410PG623

BEGINNING at an iron pipe at the southwest corner of the original tract of which this is a part, and running thence north 45 degrees 00 minutes west 160.0 feet to an iron pipe; thence north 52 degrees and 30 minutes east 160.0 feet to an iron pipe; thence south 45 degrees and 00 minutes east 160.0 feet to an iron pipe; thence south 52 degrees and 30 minutes west 160.0 feet to an iron pipe, the beginning corner, and being a part of that certain tract of five acres of land conveyed to Fred T. Herring, Sr. and wife, Myrtle M. Herring, by deed dated September 14, 1953 from Maill R. Biggs and wife, Lonnie C. Biggs, registered in Book 626, page 219, Cumberland County Registry.

The parties of the first part give and grant to the parties of the second part, their heirs and assigns, the perpetual right with others of ingress and egress over and upon the following described tract of land which leads from the Hops Mills Road to the property above described; (continuation)

~~TO HAVE AND TO HOLD THE SEID PROPERTY AND ALL PRIVILEGES AND APPURTENANCES THEREUNTO BELONGING TO GRANTOR, HIS HEIRS AND ASSIGNS, FOREVER.~~

~~GRANTOR WARRANTS AND AGREES TO DEFEND THE SEID PROPERTY AND ALL PRIVILEGES AND APPURTENANCES THEREUNTO BELONGING TO GRANTOR, HIS HEIRS AND ASSIGNS, FOREVER.~~

Signatures: Grantor has duly executed the foregoing instrument, as of the day and year first written above.

Entity

Individual

Name: _____	_____ (Seal)
By: _____	_____ (Seal)
Title: _____	_____ (Seal)
By: _____	_____ (Seal)
Title: _____	_____ (Seal)
By: _____	_____ (Seal)
Title: _____	_____ (Seal)

USE BLACK INK ONLY

SEAL-STAMP

INDIVIDUAL

STATE OF _____ COUNTY OF _____
I, a Notary Public of the County and State aforesaid, certify that _____
Grantor personally came before me this day and acknowledged the execution of the foregoing instrument.
Witness my hand and official stamp or seal, this _____ day of _____, 20____.
My Commission Expires: _____ Notary Public

USE BLACK INK ONLY

SEAL-STAMP

INDIVIDUAL

STATE OF _____ COUNTY OF _____
I, a Notary Public of the County and State aforesaid, certify that _____
Grantor personally came before me this day and acknowledged the execution of the foregoing instrument.
Witness my hand and official stamp or seal, this _____ day of _____, 20____.
My Commission Expires: _____ Notary Public

USE BLACK INK ONLY

SEAL-STAMP

ENTITY: Corporation, Limited Liability Company, General Partnership, or Limited Partnership
STATE OF _____ COUNTY OF _____
I, a Notary Public of the County and State aforesaid, certify that _____
personally came before me this day and acknowledged that he is _____ of _____
a North Carolina or _____
corporation / limited liability company / general partnership / limited partnership (strike through the inapplicable)
and that by authority duly given and as an act of the Entity, has signed the foregoing instrument in its name
and on its behalf as its act and deed.
Witness my hand and official stamp or seal, this _____ day of _____, 20____.
My Commission Expires: _____ Notary Public

USE BLACK INK ONLY

The foregoing Certificate(s) of _____

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

- REGISTER OF DEEDS FOR _____ COUNTY

By _____ Deputy/Assistant - Register of Deeds

7410
0624

BK 7410 PG 624

Continued from Page 2

BK 6600 PG 349

Beginning at a stake in the southeastern margin of the Hope Mills Road, the northwest corner of the tract of land of which this is a part, and running thence with the western line of the tract of land of which this is a part south 45 degrees 00 minutes east 500 feet to the northeast corner of the above described lot; thence with the northern line of the above described lot north 52 degrees and 30 minutes east 12 feet to a stake; thence a new line north 45 degrees and 00 minutes west 500 feet to a stake in the southeastern margin of the Hope Mills Road; thence with it south 52 degrees and 30 minutes west 12 feet to the beginning point.

This Second Tract EXCEPTED was conveyed by Fred T. Herring & wife, Myrtle K. Herring to Fred T. Herring, Jr. & wife, see Deed Reg. Book 922, page 343, GCR.

*WITHOUT TITLE EXAMINATION
*NO REVENUE

TO HAVE AND TO HOLD the said Property and all privileges and appurtenances (rights) belonging to Grantee, in fee simple.
Grantor makes no warranty, express or implied, as to title to the Property.

Signatures: Grantor has duly executed the foregoing instrument, as of the day and year first written above.

Entity		Individual	
Name: _____		<u>Wanda Sue Smith</u>	(Seal)
By: _____		_____	(Seal)
Title: _____		_____	(Seal)
By: _____		_____	(Seal)
Title: _____		_____	(Seal)
By: _____		_____	(Seal)



INDIVIDUAL
STATE OF NORTH CAROLINA COUNTY OF CUMBERLAND
I, a Notary Public of the County and State aforesaid, certify that Wanda Sue Smith
Grantor personally came before me this day and acknowledged the execution of the foregoing instrument.
Witness my hand and official stamp or seal, this 20th day of July, 2004.
My Commission Expires: 1-26-09 Kristin Scanlon Notary Public

SEAL-STAMP

INDIVIDUAL
STATE OF NORTH CAROLINA COUNTY OF CUMBERLAND
I, a Notary Public of the County and State aforesaid, certify that _____
Grantor personally came before me this day and acknowledged the execution of the foregoing instrument.
Witness my hand and official stamp or seal, this _____ day of _____, 20____.
My Commission Expires: _____ Notary Public

SEAL-STAMP

ENTITY: Corporation, Limited Liability Company, General Partnership, or Limited Partnership
STATE OF _____ COUNTY OF _____
I, a Notary Public of the County and State aforesaid, certify that _____
personally came before me this day and acknowledged that he is _____ of _____, a North Carolina or _____
corporation / limited liability company / general partnership / limited partnership (strike through the inapplicable)
and that by authority duly given and as an act of the Entity, has signed the foregoing instrument in its name

The foregoing Certificate of _____

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

J. LEE WARREN, JR. REGISTER OF DEEDS FOR CUMBERLAND COUNTY,
By Andrew W. Huntley Deputy/Assistant - Register of Deeds

BK 7410 PG 625

EXPLANATION STATEMENT TO CORRECT MINOR ERROR(S) MADE IN AN
INSTRUMENT AS ORIGINALLY RECORDED.

RE: BOOK 6600

PAGE 0347

RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS
FOR CUMBERLAND COUNTY.

NAMES OF ALL PARTIES TO THE INITIAL INSTRUMENT:

GRANTOR: Wanda Sue Smith

TRUSTEE

GRANTEE: John D. Dove Jr. & wife, Gail Dove
Myron Kent Dove & wife, Judy Dove
Kimberly McGill Dove, Trustee for Spencer Loftis Dove

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

I, the undersigned attorney who drafted the original instrument, hereby certify that the following corrections are made in the above named recorded instrument in accordance with the provisions of G.S. 47-36.1 ratified June 30, 1986:

DESCRIPTION OF CORRECTION(S):

This Quitclaim Deed is being re-recorded to clarify the intent of the Grantor herein to relinquish her life estate in the above-described property so title can be free and clear of said life estate and pass to Grantees unencumbered.

THIS, the 1st day of November, 2006.

ANDERSON, JOHNSON, LAWRENCE,
BUTLER & BOCK, L.L.P.

Robert A. Hasty, Jr., Drafting attorney
Robert A. Hasty, Jr., Attorney at Law

This explanation statement together with the attached instrument duly rerecorded at
_____ o'clock _____ M this the _____ day of _____, 2006 in
the book and page shown on the first page hereof.

REGISTER OF DEEDS BY _____
DEPUTY/ASSISTANT REGISTER OF DEEDS

7410
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BR 14 TUPG626

BR 6572PG850

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RECEIVED

11-3-P006 AM 10:21:15

J. LEE WARREN JR.
REGISTER OF DEEDS
CUMBERLAND CO., N.C.

18/50

RECEIVED

6-28-2004 PM 4:43:41

J. LEE WARREN JR.
REGISTER OF DEEDS
CUMBERLAND CO., N.C.

Excise Tax

Do NOT write above this line.

Recording: Time, Book and Page

North Carolina Quitclaim Deed

This instrument prepared by: Robert A. Hasty, Jr., Attorney at Law, P.O. Drawer 2737, Fayetteville, NC 28302
Brief description for the index: .73 acres, Legion Rd. & Elk Dr.
This Deed made this 24th day of June, 2004, by and between Grantor and Grantee:
Enter in appropriate block for each party: Name, address, county, state and if appropriate entity (i.e. corporation, partnership). The designation Grantor and Grantee as used herein shall include all parties, their heirs, successors and assigns and shall include singular, plural, masculine, feminine or neuter as required by context.

Grantor: (Life Estate) Wanda Sun Smith

Wanda Sun Smith, 835 West Britt Street, St. Pauls, NC 28384.

Grantee: John D. Dove, Jr. & wife, Gail Dove, 2625 Nottingham Rd., Roanoke, VA 24014;
(each 1/3 Myron Kent Dove & wife, Judy Dove, 8001 Shillingstone Place, Raleigh, NC 27615;
interest) Kimberly McGill Dove, Trustee for Spencer Loftis Dove, 110 North Bloodworth St., Raleigh, NC 27601

Transfer of Ownership: Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has remised and released and does hereby remise, release and forever quitclaim to Grantee, the Property described below:

Property: City of Hops Mills
Township of Rockfish, County of Cumberland, North Carolina.
This property was acquired by Grantor by an instrument recorded in Book 1034, Page 415, County of Cumberland.
A map showing the property is returned in Flat Book 1034, Page 415, County of Cumberland.
The legal description of the property is:

This property was acquired by Grantor as a life estate in the Last Will & Testament of John D. Dove, 99E385. (Property address: 3403 Legion Road has been renumbered as 4215 Legion Road, Hops Mills, NC 28348).

The following legal description of the property was obtained from a prior Deed, Book 1034, Page 415.

BEGINNING at an iron stake, said iron stake being the northwest corner of the five acre tract conveyed to John D. Dove and wife, Marilyn L. Dove by Fred T. Herring, Sr. and wife, Myrtle M. Herring in 1964 which is registered in the Office of the Register of Deeds of Cumberland County, and runs thence as the western line of said five acre tract south 52 degrees 30 minutes west 180.0 feet to a stake; thence north 45 degrees 00 minutes west 34.1 feet to a stake in the east margin of Legion Road; thence as said east margin of Legion Road north 55 degrees and 47 minutes east 180.3 feet to a stake; thence south 45 degrees east 23.8 feet to the point of beginning.

This Quitclaim Deed is being re-recorded to clarify the intent of the Grantor herein to relinquish her life estate in the above-described property so title can be free and clear of said life estate and pass to Grantees unencumbered.

*WITHOUT TITLE EXAMINATION

*NO REVENUE

Continued on Page 2

After recording mail to: Robert A. Hasty, Jr., Esq.,
Anderson, Johnson, Lawrence, Butler &
Bock, L.L.P.
Post Office Drawer 2737
Fayetteville, NC 28302

Tax Lot No. _____
Parcel Identifier No. 0924-08-6776
Verified By _____ County, _____
on the _____ day of _____, 20____
By _____

17

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BK 7410PG627

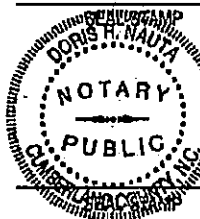
Continued from Page 1

BK 6572PG85T

TO HAVE AND TO HOLD the said Property and all privileges and appurtenances (rights) belonging to Grantee, in fee simple.
Grantor makes no warranty, express or implied, as to title to the Property.

Signatures: Grantor has duly executed the foregoing instrument, as of the day and year first written above.

Entity		Individual	
Name:	_____	<u>Wanda Sue Smith</u>	(Seal)
By:	_____	_____	(Seal)
Title:	_____	_____	(Seal)
By:	_____	_____	(Seal)
Title:	_____	_____	(Seal)
By:	_____	_____	(Seal)
Title:	_____	_____	(Seal)



USE BLACK INK ONLY

INDIVIDUAL
STATE OF NORTH CAROLINA COUNTY OF CUMBERLAND
I, a Notary Public of the County and State aforesaid, certify that Wanda Sue Smith
Grantor personally came before me this day and acknowledged the execution of the foregoing instrument.
Witness my hand and official stamp or seal, this 24th day of June, 2004.
My Commission Expires: 10/09/08 Doris R. Nauta Notary Public

USE BLACK INK ONLY

INDIVIDUAL
STATE OF NORTH CAROLINA COUNTY OF CUMBERLAND
I, a Notary Public of the County and State aforesaid, certify that _____
Grantor personally came before me this day and acknowledged the execution of the foregoing instrument.
Witness my hand and official stamp or seal, this _____ day of _____, 20____.
My Commission Expires: _____ Notary Public

SEAL-STAMP

USE BLACK INK ONLY

ENTITY: Corporation, Limited Liability Company, General Partnership, or Limited Partnership
STATE OF _____ COUNTY OF _____
I, a Notary Public of the County and State aforesaid, certify that _____
personally came before me this day and acknowledged that he is _____ of
_____; a North Carolina or _____
corporation / limited liability company / general partnership / limited partnership (strike through the inapplicable)
and that by authority duly given and as an act of the Entity, has signed the foregoing instrument in its name
and on its behalf as its act and deed

The foregoing Certificate of Doris R. Nauta

is certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereon.
By J. Lee Warren, Jr. REGISTER OF DEEDS FOR CUMBERLAND COUNTY.
Debra J. Nichols Deputy/Assistant - Register of Deeds

EXPLANATION STATEMENT TO CORRECT MINOR ERROR(S) MADE IN AN
INSTRUMENT AS ORIGINALLY RECORDED.

RE: BOOK 6572

PAGE 0850

RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS
FOR CUMBERLAND COUNTY.

NAMES OF ALL PARTIES TO THE INITIAL INSTRUMENT:

GRANTOR: Wanda Sue Smith

TRUSTEE

GRANTEE: John D. Dove Jr. & wife, Gail Dove
Myron Kent Dove & wife, Judy Dove
Kimberly McGill Dove, Trustee for Spencer Loftis Dove

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

I, the undersigned attorney who drafted the original instrument, hereby certify that the following corrections are made in the above named recorded instrument in accordance with the provisions of G.S. 47-36.1 ratified June 30, 1986:

DESCRIPTION OF CORRECTION(S):

This Quitclaim Deed is being re-recorded to clarify the intent of the Grantor herein to relinquish her life estate in the above-described property so title can be free and clear of said life estate and pass to Grantees unencumbered.

THIS, the 1st day of November, 2006.

ANDERSON, JOHNSON, LAWRENCE,
BUTLER & BOCK, L.L.P.

Robert A. Hasty J. Drafting attorney
Robert A. Hasty, Attorney at Law

This explanation statement together with the attached instrument duly rerecorded at
_____ o'clock _____ M this the _____ day of _____, 19____
in the book and page shown on the first page hereof.

BY _____
REGISTER OF DEEDS DEPUTY/ASSISTANT REGISTER OF DEEDS

July 14, 2023

Mr. Jeff Buseick
Team Tommy's Express Car Wash

Re: 4215 Legion Road
Hope Mills, NC

Rezoning Request

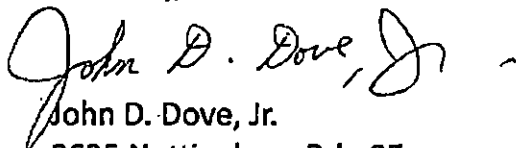
Dear Jeff:

I am writing on behalf of myself, Gail Dove, Myron Kent Dove, Judy Dove, and Spencer Loftis Dove, owners of the property referenced above.

We give our full support to having this property rezoned to CP Commercial and further we give you permission to initiate the rezoning application with the Town of Hope Mills.

If anything else is needed, please let me know.

Sincerely,



John D. Dove, Jr.
2625 Nottingham Rd., SE
Roanoke, VA
540 556 7936

Notary:

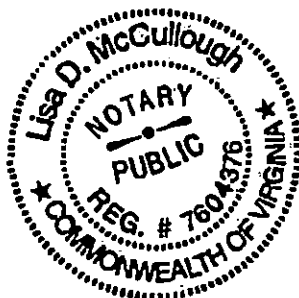
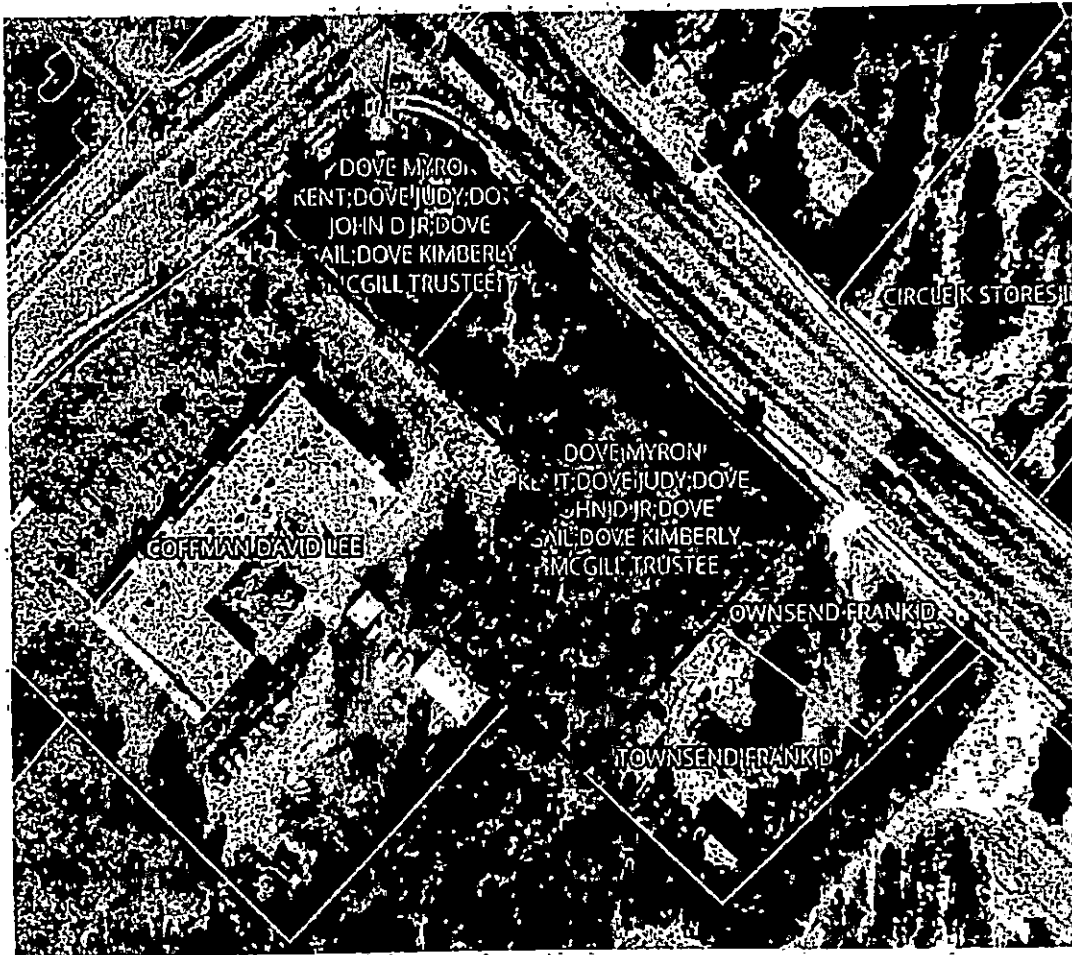


EXHIBIT A
TO
AGREEMENT FOR PURCHASE AND SALE OF LAND (the "Agreement")
by and between
TIL Holdings of Texas, L.L.C. ("**Buyer**") and
John D. Dove, Jr. & wife, Gail Dove, Myron Kent Dove & wife, Judy Dove,
and Spencer Loftis Dove (collectively, "**Seller**")

PROPERTY DESCRIPTION





Town of Hope Mills
5770 Rockfish Road
Hope Mills, NC 28348

Receipt Number: R00023374

Cashier Name: Whitney Martinez

Terminal Number: 1

Receipt Date: 7/21/2023 12:11:45 PM

Tran. Code: 103651 - Zoning Petitions

Name: SANDY BURSON (TOMMY'S EXPRESS)

\$600.00

Zoning Petitions

\$600.00

Payment Method: Credit Card Payor: SANDY BURSON (TOMMY'S Reference:

Total Amount Applied: \$600.00

Amount: \$600.00

Total Payment Received: \$600.00

Change: \$0.00

GL Distribution: Account Number
10-3651

Account Name
ZONING PETITIONS

Amount
600.00

Total Distribution Amount: 600.00



Owner	Street	City	State	Zip
Myron Kent Dove; Judy Dove; John D. Dove, Jr; Gail Dove; Kimberly McGill Dove Trustee	8001 Shillingstone Pl	Raleigh	NC	27615
Agree Hope Mills NC, LLC	PO Box 8050 MS 0555	Bentonville	AR	70716
David Lee Coffman	4251 Legion Rd	Hope Mills	NC	28348
Cumberland County Board of Education	PO Box 2357	Fayetteville	NC	28302
Frank D. Townsend	4066 Elk Rd	Hope Mills	NC	28348
Circle K Stores, Inc	1100 Situs Ct Ste 100	Raleigh	NC	27606
Roger M. Bedsole, Jr. & Pamela S. Bedsole	4176 Legion Rd	Hope Mills	NC	28348



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF AUGUST 15, 2023

TO: JOINT PLANNING BOARD

FROM: PLANNING & INSPECTIONS DEPARTMENT

DATE: 8/15/2023

SUBJECT: CASE ZON-23-0020: REZONING FROM A1 AGRICULTURAL DISTRICT TO R40A RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR 2.4 +/- ACRES; LOCATED AT 6602 MURPHY ROAD, SUBMITTED BY CYNTHIA COE (APPLICANT/OWNER).

ATTACHMENTS:

Description

Case ZON-23-0020

Type

Backup Material

REQUEST

Rezoning A1 to R40A

Applicant requests a rezoning from A1 Agricultural District to R40A Residential District for one parcel of approximately 2.40 acres located at 6602 Murphy Road. The parcel is currently occupied by a single-family home. The intent of the property owner is to rezone the parcel to R40A to allow a second home to be added to the lot through a Group Development application.

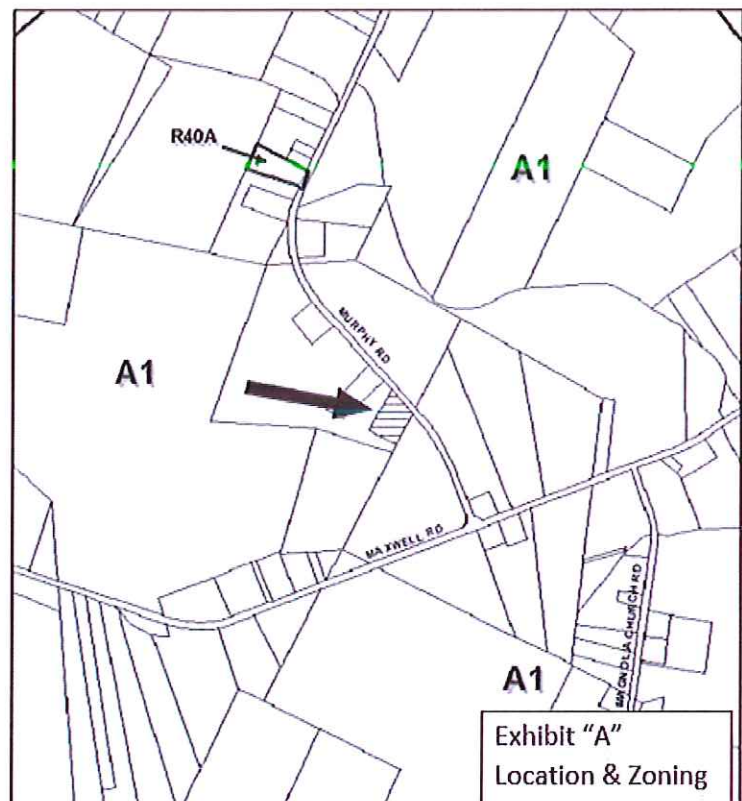
PROPERTY INFORMATION

OWNER/APPLICANT: Cynthia Coe
(applicant/owner)

ADDRESS/LOCATION: Refer to Exhibit "A",
Location and Zoning Map. REID number:
0487451289000

SIZE: 2.40 +/- acres within one parcel. The road frontage along Murphy Road is a 297 +/- feet. The property has a varying depth due to its shape but is approximately 428 +/- feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned A1 Agricultural District. Minimum lot size for this district is two acres. 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.

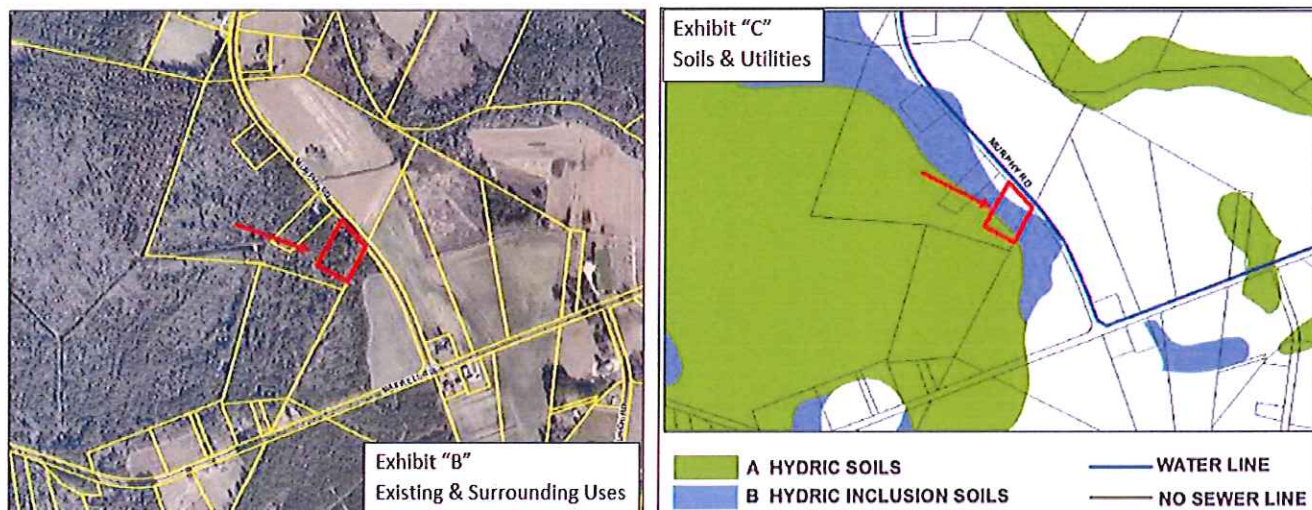


EXISTING LAND USE: The parcel contains a single-family home. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Wooded and farmland
- **East:** Wooded land and farmland
- **West:** Wooded land
- **South:** Wooded land

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 presence of hydric and hydric inclusion soils on the property. Wellands are located on a portion of the property where hydric soils are located.



DEVELOPMENT REVIEW: Administrative review (Group Development) by County Planning & Inspections will be required before any development.

DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	R40A (Proposed)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet (one story) 25 feet (two story)	15 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 acres	40,000 sq. ft.
Lot Width	100'	100'

Development Potential:

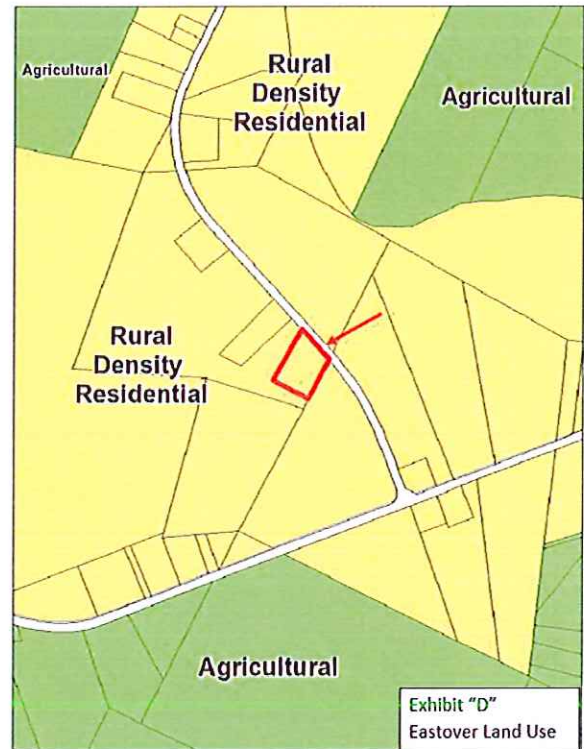
Existing Zoning (A1)	Proposed Zoning (R40A)
1 dwelling units	2 dwelling units

- 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: This property is located within the Eastover Area Land Use Plan (2018). The future land use classification of the property is "Rural Density Residential". Associated zoning districts for this classification are R30, R30A, R40 and R40A. **The proposed rezoning request is consistent with the adopted Land Use Plan.**

APPLICABLE PLAN GOALS/POLICIES:

"Provide for a full range of housing types with adequate infrastructure throughout that is in harmony with the surrounding areas and accommodates the future needs of the residents while maintaining the character of the area." (P.49 Eastover Area Land Use Plan)



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Sewer lines are not available near the subject property. Water lines are present. It is the applicant's responsibility to determine if this utility provider will serve their development. Utility lines for water and sewer are shown on Exhibit "C". On-site septic will likely be required, and the lot size must meet the minimum area necessary to accommodate the septic system for a single-family home or a group development. Environmental Health application for septic permit will be required and shall be obtained by the property owner before the second dwelling is approved. An application for a septic system permit does not guarantee a permit can be written.

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property, 6602 Murphy Road, is located outside FAMPO boundaries. No comments were received from Mid-Carolina RPO.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Eastover Elementary	480	355
Mac Williams Middle	1164	1166
Cape Fear High	1476	1590

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has reviewed the request and had no objection.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no comment at this time.

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 rezoning and there are no conditions at this time.

STAFF RECOMMENDATION

In Case ZON-23-0020, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R40A Residential District. Staff finds the request is consistent with the Eastover Area Land Use Plan which calls for "Rural Density Residential" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning.

Attachments:
Notification Mailing List
Application

ATTACHMENT – MAILING LIST

ROYAL, FRANKLIN LEE HEIRS
216 BEECHWOOD SHORES DR
MOYOCK, NC 27958

MOLCIE FARMS LLC
P O BOX 53943
FAYETTEVILLE, NC 28305

MOLCIE FARMS LLC
P O BOX 53943
FAYETTEVILLE, NC 28305

MOLCIE FARMS LLC
P O BOX 53943
FAYETTEVILLE, NC 28305

MOLCIE FARMS, LLC
P O BOX 53943
FAYETTEVILLE, NC 28305

COE, CYNTHIA M
6602 MURPHY RD
STEDMAN, NC 28391

MCMILLAN, GARY F
6569 MAXWELL RD
STEDMAN, NC 28391

TAYLOR, LIBBY R;TAYLOR, TIMOTHY S
629 MAXWELL RD
STEDMAN, NC 28391

TAYLOR, LIBBY R;TAYLOR, TIMOTHY S
629 MAXWELL RD
STEDMAN, NC 28391

SUTTON, MICHAEL KEITH;MATTHEW,
STEPHEN
6308 MAXWELL RD
STEDMAN, NC 28391

MOORE, CHERLYN A
6535 MURPHY RD
STEDMAN, NC 28391

CULBRETH, TERRY A;JAMES, NATHAN
COOPER RS
481 CAROL ST
STEDMAN, NC 28391

WILLIAMS, BRIAN K;WILLIAMS,
MEREDITH M
6757 MURPHY RD
STEDMAN, NC 28391

MOORE, CHERLYN A;ALLEN, WILLIE
E;MOORE, PAUL;VIRGIL, ANNIE;BAGGETT,
DOROTHY HEIRS;MOORE, ROBERT HEIRS
6535 MURPHY RD
STEDMAN, NC 28391

MOORE, CHERLYN A;ALLEN, WILLIE
E;MOORE, PAUL;VIRGIL, ANNIE;BAGGETT,
DOROTHY HEIRS;MOORE, ROBERT HEIRS
6576 MURPHY RD
STEDMAN, NC 28391

ZIMMER, JARED;ZIMMER, COLLINS
50 TRILLIUM CTR
CASHIERS, NC 28717

PERCIVAL LAND & TIMBER LLC
PO BOX 3610
ALBANY, GA 31706

CARTER, ALFRED W;ROGER, CHARITY
HEIRS
305 CHADWICK DR
DAVENPORT, FL 33837

ATTACHMENT: 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 \$ 250.00.
(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 R40A
2. Address of Property to be Rezoned: 6602 Murphy Rd, Stedman, NC
3. Location of Property: Cumberland County 28391
4. Parcel Identification Number (PIN #) of subject property: 0487-45-1289
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 2.4 Frontage: 297.3 Depth: 428
6. Water Provider: Well: _____ PWC: _____ Other (name): Eastover Sanitary District
7. Septage Provider: Septic Tank ☒ PWC _____
8. Deed Book _____, Page(s) _____, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Home
10. Proposed use(s) of the property: Building of another home via land sale
11. Do you own any property adjacent to or across the street from this property?
Yes _____ No ☒ If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No ☒

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.

Cynthia Allen Coe
NAME OF OWNER(S) (PRINT OR TYPE)

6602 Murphy Road, Stedman, NC 28391
ADDRESS OF OWNER(S)

910-483-3869 910-284-5507
HOME TELEPHONE # WORK TELEPHONE #

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

E-MAIL

HOME TELEPHONE # WORK TELEPHONE #

Cynthia Allen Coe _____
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 AUGUST 15, 2023

TO: JOINT PLANNING BOARD

FROM: PLANNING & INSPECTIONS DEPARTMENT

DATE: 8/15/2023

**SUBJECT: CASE ZNG-006-23: REZONING OF 4.01+/- ACRES FROM THE PND
PLANNED NEIGHBORHOOD DEVELOPMENT DISTRICT TO THE
C(P)/CZ PLANNED COMMERCIAL DISTRICT/CONDITIONAL ZONING
DISTRICT; LOCATED AT 0 GOLVIEW RD REID 0414127031000,
PRESENTED BY JNM OF NC, INC (AGENT) ON BEHALF OF JNM OF
NC, INC (OWNER). (HOPE MILLS)**

ATTACHMENTS:

Description

Case ZNG-006-23

Type

Backup Material



STAFF REPORT

REZONING CASE# ZNG-06-2023

Planning Board Meeting: 8-15-2023

Hope Mills Board Meeting: 9-18-2023

Address: 0 GOLFBVIEW ROAD

ZONING REQUEST: Rezoning to C(P)/CZ Planned Commercial/Conditional Zoning

The Town of Hope Mills staff received an application, requesting rezoning for the front (closest to Golfview Road) 4.01 +/- acres out of the 33.58 +/- acres of land tied to parcel identification number 0414-12-7031. The subject property is adjacent to the Golf Acres subdivision, the Town of Hope Mills property that used to be the golf course as well as across the street from the Eaglewood subdivision. The applicant is looking to rezone the front portion of the site to commercial and plans to subdivide the remaining portions afterwards. Please refer to the attached memorandum from the Hope Mills Plan Review Committee for recommendations from all pertinent engineering and permit based departments. The location of the subject property is illustrated in Exhibit "A".

RECENT ACTIVITY: The applicant has recently amended the application to reflect a request to Conditional Zoning and has included within the application a list of permitted commercial uses that he will not pursue with this request. Under this new direction, the only permitted uses requested under the C(P) district that will be included are as follows:

- A. Hotel
- B. Bed and Breakfast

In addition, the following conditions also apply to this request:

- A. Density: 4.01 acres
- B. Setbacks: Setbacks allowed under the C(P) District.
- C. Parking: Will meet C(P) parking requirements.
- D. Signs: Will comply with Sign Ordinance.
- E. Landscaping: Will comply with C(P) landscape requirements

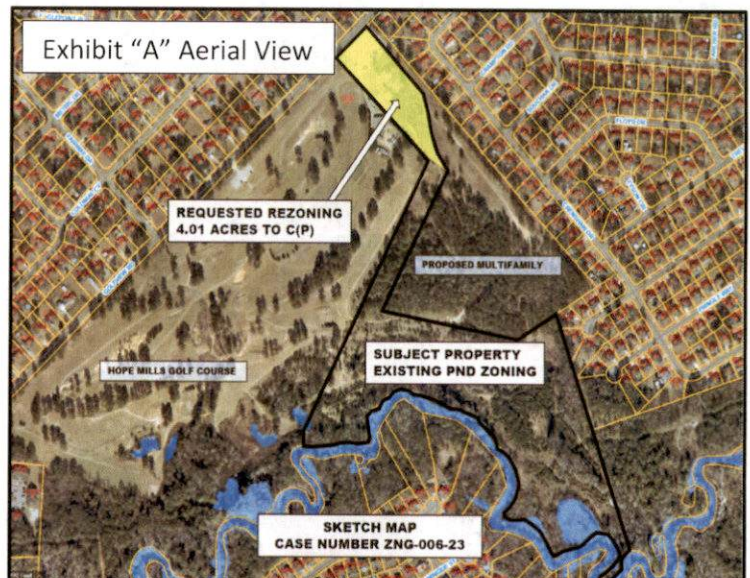
SUBJECT PROPERTY INFORMATION

OWNER/APPLICANT:

JNM of NC, Inc (agent) on behalf of
JNM of NC, Inc (owner)

ADDRESS/LOCATION: 0 Golfview Road;
REID: 0414127031000. For additional
information, refer to Exhibit A.

SIZE: As stated above, the subject property 33.58 acres total but only the 4.01 acres in size with varying lengths of depth is being looked at today.

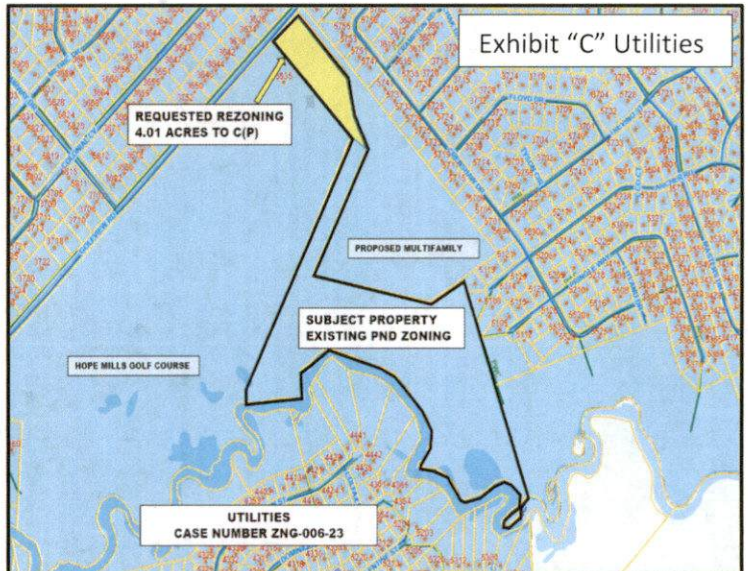
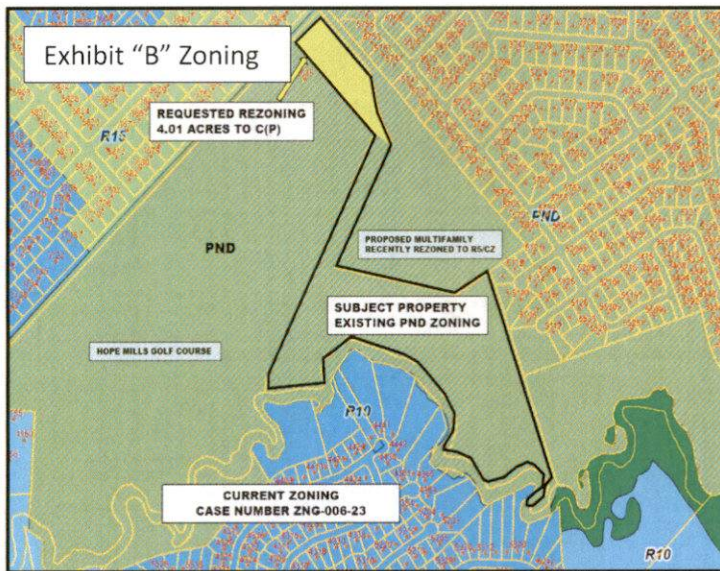


EXISTING ZONING: The subject property is currently zoned under the PND Planned Neighborhood District with the area to the immediate east recently rezoned to the R5 Single Family district for the development of multi-family. District standards for PND zoning is regulated by the underlying R7.5 single family residential district per the Hope Mills Zoning Ordinance. The area to the immediate west is the Hope Mills Golf Course which is zoned under the PND district proposed for the development of a park and sports complex. The area to the far northwest and northeast are well established residentially zoned areas under the PND, R15, and R7.5 residential districts.

EXISTING LAND USE: The subject property is currently vacant - the old club house for the golf course was on this property.

SURROUNDING ZONING AND LAND USE: The properties adjacent to the immediate south is PND Planned Neighborhood District and R10 Residential District, also known as the old golf course and Fairway Forest subdivision with the area to the immediate west being zoned R15 Residential, also known as Eaglewood subdivision and mostly PND Planned Residential, also known as Golf Acres subdivision to the east. As mentioned, the area to the immediate east is vacant and slated for the development of multi-family. Refer to Exhibit "B" for zoning and surrounding land uses.

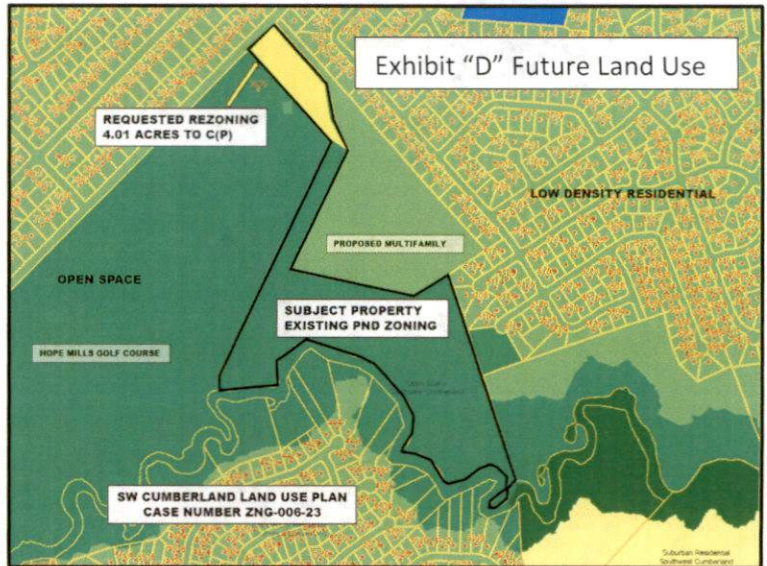
OTHER SITE CHARACTERISTICS: Exhibit "C" provides the location of water and sewer availability.



DEVELOPMENT REVIEW: The development of this property will require a site plan and development review approval under the C(P)/CZ District which is an administrative process. The remaining portions of the site that will remain under the PND district will be regulated by the underlying zoning of R7.5 for residential development. The allowable density of the remaining 29.57 acres will be regulated by the R7.5 district through a group development or subdivision application if developed with a residential use. Any use outside of residential would require the submission of a rezoning application.

COMPREHENSIVE DEVELOPMENT PLANS:

This site is located within the Southwest Cumberland Land Use Plan area (2013) and is designated as "Open Space". This request is not consistent with the land use plan but is supported by staff as it is located adjacent to what was known as the golf course which was just approved by the Board of Commissioners to pursue researching part of the old golf course to be utilized for baseball and other activities for the Parks and Recreation Department with the intention of bringing more revenue into the Town and making the Town a more notable area. Please refer to Exhibit "D" for additional information.



IMPACTS ON AREA FACILITIES

PUBLIC WORKS: When developed, the driveway permit will have to be obtained through NCDOT, otherwise, the regular Hope Mills Standards and Specifications will apply.

UTILITIES: The property will be served by PWC water and sewer.

FAMPO: FAMPO has indicated that the subject property will not have a significant impact on the transportation improvement program. Due to the lack of data and the small scale, the new request does not demand a trip generation.

STORMWATER: Will require Stormwater Management Permit application, not located in the Airport Overlay District nor in any floodplains.

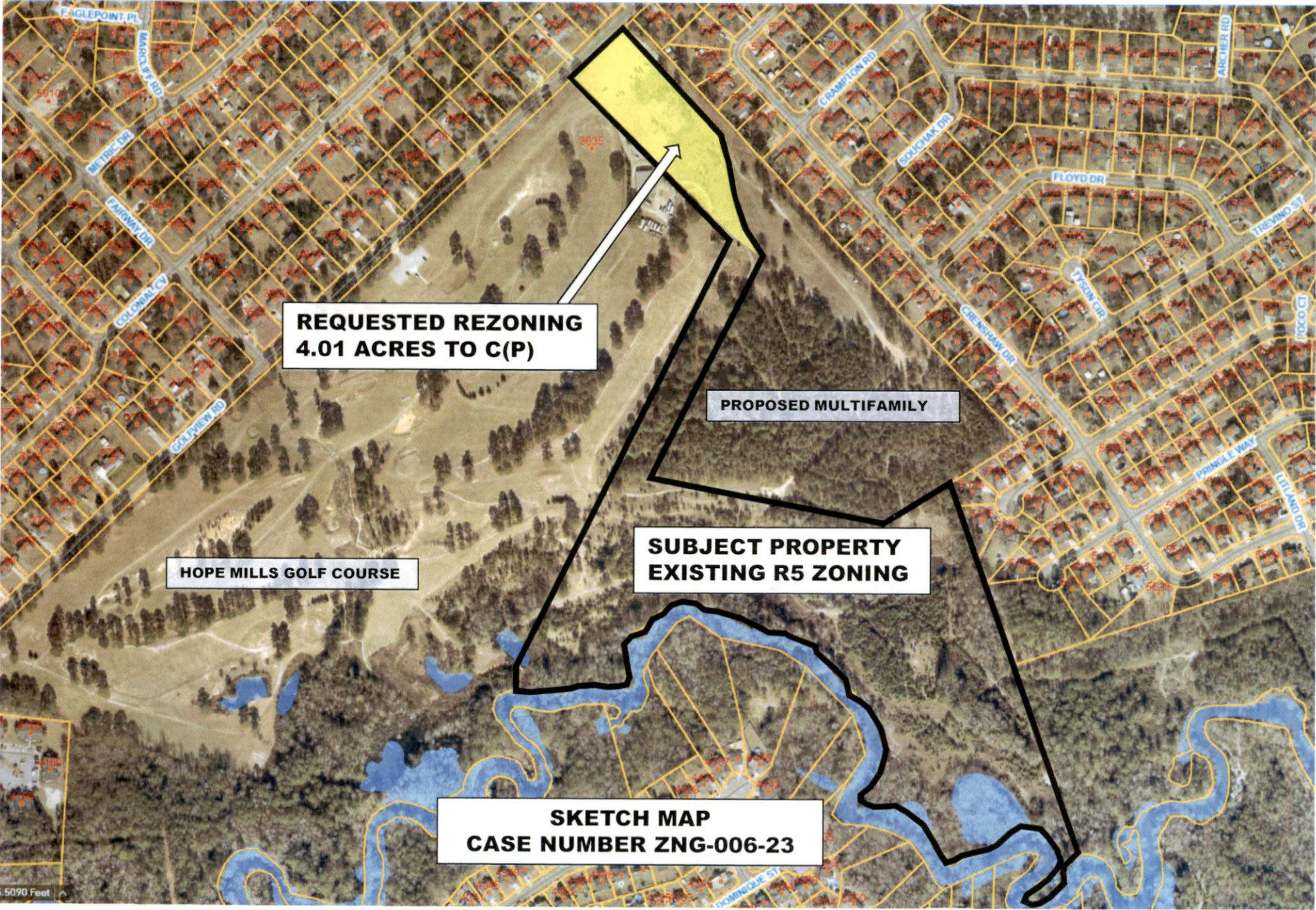
PLAN REVIEW COMMENTS: The Town of Hope Mills Plan Review team has no objections to this request.

SPECIAL OVERLAY DISTRICTS: The subject property is not located within the boundaries of any established overlay district.

CODE DEVIATIONS: None.

STAFF RECOMMENDATION

In ZNG-006-23, the Town of Hope Mills Planning staff **recommends approval** of the rezoning request to the C(P)/CZ Planned Commercial/Conditional Zoning district and finds that even though the request is inconsistent with the Southwest Cumberland Land Use Plan (2013) designation, it does complement the future vision of the Town of Hope Mills in regards to the future plans of the adjacent parcels. The economic and regional impact of the proposed development fits within the vision and long-term outlook of the area in regards to economic development viability. Approval of the request is reasonable and in the public interest because the district requested is compliments the proposed development of adjacent parcels in the surrounding area.



**REQUESTED REZONING
4.01 ACRES TO C(P)**

PROPOSED MULTIFAMILY

**SUBJECT PROPERTY
EXISTING R5 ZONING**

**SKETCH MAP
CASE NUMBER ZNG-006-23**



Town of Hope Mills

Planning Department

CASE #: ZNG-00623

ZONING BOARD

MEETING DATE: 8.15.23

DATE APPLICATION

SUBMITTED: 7/19/23

RECEIPT #:

RECEIVED BY: CPM

APPLICATION FOR CONDITIONAL ZONING DISTRICT REZONING REQUEST HOPE MILLS ZONING ORDINANCE

Upon receipt of this application (petition), the Planning Staff will schedule the request to be heard by the Hope Mills Zoning Board in accordance with the Board's adopted meeting schedule. In accordance with state law and board's policy, a notice of the hearing will be mailed to the owners of the adjacent and surrounding properties, which may be affected by the proposed Conditional Zoning. In addition, a sign will be posted on the property.

The Zoning Board will make a recommendation to the Hope Mills Board of Commissioners concerning the request. The Board of Commissioners will schedule a public hearing and issue a final decision on the matter. Generally, the Commissioners will hold the public hearing two to four weeks following the Zoning Board meeting. *The Conditional Zoning District is not effective until the request is heard and approval granted by the Board of Commissioners.*

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 of an existing tract is/are being submitted for rezoning, an accurate written legal description of only the area to be considered;
3. A copy of a detailed site plan drawn to an engineering scale, showing the location of all buildings, yard dimensions, driveways, fencing, lighting parking areas, landscaping, and all other pertinent data to the case; and
4. A check made payable to the "Town of Hope Mills" in the amount of \$_____ (See attached Fee Schedule)

NOTE: Any revisions, inaccuracies or errors to the application or site plan 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*.

The Planning Staff is available for advice on completing this application; however, they are not available for completion of the application or preparation of the site plan. For questions call (910)424-4555. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

TO THE ZONING BOARD AND TOWN BOARD OF COMMISSIONERS OF HOPE MILLS, NC:

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

1. Applicant/Agent JNM of NC Inc
2. Address: 5604 Shady Pine Ct Zip Code 28348
3. Telephone: (Home) 9109224193 (Work) _____
4. Location of Property: O Golf view Road.
5. Parcel Identification Number (PIN #) of subject property: 0414-12-7031
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 4 Frontage: 251 Depth: 800
7. Water Provider: PWC Septage Provider: PWC
8. Deed Book 9501, Page(s) 417, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Vacant
10. Proposed use(s) of the property: Hotel Suites

NOTE: Be specific and list all intended uses.

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes _____ No X
12. Has a violation been issued on this property? Yes _____ No X
13. It is requested that the foregoing property be rezoned FROM: RND

TO: (Select one)

- ☒ Conditional Zoning District, with an underlying zoning district of C(P)
(Article V)
- _____ 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)

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 if approved.)

Hotel - see attachment.

- 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 Acres Commercial

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 102A-1204 or list the proposed setbacks.

CP setbacks

- B. Off-street parking and loading, Sec. 102A-1301 & 102A-1303: List the number of spaces, type of surfacing material and any other pertinent information.

CP Parking

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIV.

Sign Ordinance

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. 102A-1202(n)]. NOTE: All required landscaping must be included on the site plan.

*Landscaping Requirements
as per the ordinance.*

- B. Indicate the type of buffering and approximate location, width and setback from the property lines. [Sec. 102A-1202(g)] NOTE: All required buffers must be included on the site plan.

Ordinance Buffering Requirements

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.

Regular operating hours

6. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 102A-1502. If the proposed uses involve development subject to the Hope Mills 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 must be of sufficient detail to allow the Planning Staff, Hope Mills Plan Review Committee, the Zoning Board and Board of Commissioners to analyze the proposed uses and arrangement of uses on the site. It also must 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 Department a valid request within a complete application.

I further understand I must voluntarily agree to all ordinance related conditions prior to the first hearing on the case or any disagreement may be cause for an unfavorable recommendation. The undersigned hereby acknowledge that the Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

JNM of NC Inc

NAME OF OWNER(S) (PRINT OR TYPE)

5604 Shady Pine Ct, Hope Mills

ADDRESS OF OWNER(S)

Uttakundi@outlook.com

E-MAIL

9109224193

HOME TELEPHONE

910 574 0278

WORK TELEPHONE



SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE

WORK TELEPHONE

E-MAIL ADDRESS

FAX NUMBER

SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

- * **ALL record property owners must sign this petition.**
- * **The contents of this application, upon submission, becomes "public record."**

C (P)

Planned Commercial District

C (P) Planned Commercial District. The intent of this district is to assure the grouping of buildings on a parcel of land so as to constitute a harmonious, efficient and convenient retail shopping area. To promote the essential design features within this district, site plan approval is required. Any site plan design layout shall assure traffic safety and the harmonious and beneficial relations between the commercial area and contiguous land.

Permitted uses:

- ~~Accessory uses incidental to any permitted use~~
- ~~Addressing service~~
- ~~Alcoholic beverages Control Sales~~
- ~~Apparel and accessory sales~~
- ~~Assemblies (including assembly hall, armory, stadium, coliseum, community center, fairground activities) (102A-1015)~~
- ~~Auction sales (excluding livestock auctioning & motor vehicles)~~
- ~~Bakery production and wholesale sales~~
- ~~Baking, on premises and retail only~~
- ~~Bank, savings and loan company and other financial activities~~
- ~~Barbering, hairdressing and salon services~~
- ~~Bars & night clubs, not regulated by (102A-1023)~~
- ~~Bed and breakfast (102A-1003)~~
- ~~Bingo~~
- ~~Boats and accessories, retail sales and service~~
- ~~Books & printed matter - sales, not regulated by Sec. 102A-1023~~
- ~~Building supply~~
- ~~Bus station (storage terminal activities)~~
- ~~Carpet and rug cleaning~~
- ~~Cemetery, public (102A-1015)~~
- ~~Club or lodge not regulated under Sec 102A-1023 (102A-1015)~~
- ~~Convenience container and recycling facility (Sec.102A-1005.1)~~

• C (P) continued page 2

Permitted uses:

- ~~Convenience retail w/ gasoline sales~~, including incidental motor vehicle washing
- Schools, private (not otherwise listed)
- ~~Day care facility (102A-1006)~~
- ~~Delicatessen operations~~ (including catering)
- ~~Dry cleaning/laundry~~, commercial
- ~~Dry cleaning/laundry~~, self service
- ~~Dry cleaning/laundry collection~~, no cleaning on premises except in conjunction with service counter, provided not more than 2,500 square feet is devoted to these processes
- ~~Dwelling, single and multiple family~~ (second floor and above)
- ~~Exterminating services~~
- ~~Farm supplies merchandising & machinery sales/servicing~~
- ~~Fire station operations/emergency service~~ (102A-1015)
- ~~Florist~~
- ~~Food production, with on premises retail sales of product~~
- ~~Food production/wholesale sales~~
- ~~Food sales/grocery stores~~
- ~~Funeral home~~, including incidental crematorium
- ~~Golf courses~~ (102A-1007)
- ~~Hardware, paint, and garden supply sales~~
- ~~Home furnishing and appliance sales~~
- ~~Home occupation, incidental~~ (102A-1102) (second floor only)
- ✓ • ~~Hotel/motel~~ (not regulated by Sec. 102A-1023)
- ~~Internet café/video gaming~~, (Sec. 102A-1009.1) Special Use required
- ~~Janitorial service~~
- ~~Kennel operations~~ (102A-1010)
- ~~Laboratory operations, medical or dental~~
- ~~Laboratory, research~~
- ~~Library~~ (102A-1015)
- ~~Locksmith, gunsmith~~
- ~~Manufactured home sales~~
- ~~Massage & body works therapy~~

C (P) continued page 3

Permitted uses:

- ~~Mini-warehousing (self-storage facility) (no outside commercial storage of motor vehicles)~~
- ~~Mini-warehousing (self-storage facility) (including outside commercial storage of motor vehicles)~~
- ~~Monument sales~~
- ~~Motor vehicle parking lot, commercial~~
- ~~Motor vehicle parts and accessories sales, contained within a building and with no outside storage~~
- ~~Motor vehicle repair and/or body work, excluding commercial wrecking/dismantling/storage of junked vehicles~~
- ~~Motor vehicle rentals~~
- ~~Motor vehicle sales, new and used, including motor vehicles auctions~~
- ~~Motor vehicle service station service station operations~~
- ~~Motor vehicle washing~~
- ~~Municipal building and activities~~
- ~~Nursery operations/plant husbandry/greenhouses (102A-1015)~~
- ~~Nursing home/convalescent home/hospital/retirement home, (102A-1016)~~
- ~~Office supplies and equipment sales and service/mailbox service~~
- Office use of a doctor, dentist, osteopath, chiropractor, optometrist, physiotherapist, or other medically oriented profession, clinic (Sec. 102A-1015)
- Office use, with no on-premises stock of goods for sale to the general public and the operations and services of which are customarily conducted and concluded by means of written, verbal or mechanically reproduced communications material
- ~~Pet sales, excluding kennel activities or outside storage of animals~~
- ~~Photography studio~~
- ~~Printing and reproduction small scale, <4000 square feet~~
- ~~Printing and reproduction large scale, =>4000 square feet~~
- ~~Public/community utility stations/substations (Sec.102A-1015)~~
- ~~Public utility works, shops or storage yards (102A-1017)~~
- ~~Radio or television studio activities only~~
- ~~Railroad station/yard operations~~
- Recreation/amusement indoor (conducted inside building for profit, not otherwise listed & regulated) (102A-1019)

C (P) continued page 4

Permitted uses:

- Recreation/amusement outdoor (conducted outside building for profit, not otherwise listed & regulated) (102A-1019)
- Recreation/amusement outdoor (with mechanized vehicle operations)
- Recreation vehicle park and/or campgrounds (102A-1020)
- Religious worship activities (102A-1015)
- Repair, rental, or servicing of any product the retail sale of which is a use by right in the same district
- Restaurant, operated as commercial enterprise, drive-ins excluded and except as regulated by Sec 102A-1023
- Restaurant, operated as commercial enterprise, drive-ins included, except as regulated by (102A-1023
- Retailing or servicing with operations conducted and merchandise stored entirely within a building and not otherwise listed herein
- School, business and commercial, trade, vocational & fine arts
- Schools, private (not otherwise listed)
- Schools, public: elementary or secondary (102A-1015)
- Seasonal sales establishments [102-1101(f)]
- Second hand, pawn and flea market (102-A-1022
- Swimming pools, incidental to a principal use [102A-1102(c)]
- Tailoring
- Taxicab stand operations
- Theater productions, indoor, which show only films previously submitted to & rated by the Motion Picture Association of America & not including theaters regulated by (102A-1023)
- Theater productions, outdoor, which show only films previously submitted to & rated by the Motion Picture Association of America & not including theaters regulated by (102A-1023) (102A-1025)
- Towers (102A-1026)
- Trades contractor activities excluding outside storage of equipment or supplies
- Trades contractor activities with outside storage of equipment or supplies
- Trailer rentals, including terminal activities, hauling and/or storage, incidental to same, but excluding mini-warehousing as defined herein
- Upholstering or furniture refinishing

C (P) continued page 5

Permitted uses:

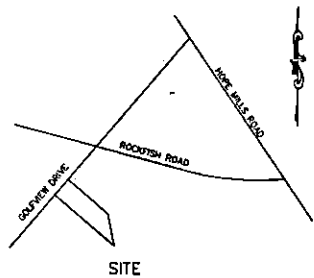
- Variety, gift and hobby supply sales
- Vending machine outdoor
- Vending machine rental
- Veterinarian
- Wholesale sales with operations conducted and merchandise stored entirely within a building and not otherwise herein
- Wireless communications & accessory sales

Conditional Zoning (Board of Commissioners approval required)

- Billboards (102A-1407)
- Recreation/amusement public/private (not operated as a business for profit including playgrounds, neighborhood center buildings, parks, museums, swimming pools, etc., & not otherwise listed) (102A-1019)

Special use (Board of Adjustment approval required)

- Internet café/video gaming
- Residential habilitation support facilities (102A-1021)
- Sanitarium
- Special information signs [102A-1404(g)]
- Truck terminal activities repair and hauling or storage



VICINITY MAP N.T.S.

NORTH CAROLINA, CUMBERLAND COUNTY
 I, JEFFREY B. RIDDLE, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION
 FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DEED AND DESCRIPTION RECORDED
 IN PLAT BOOK PAGE DEED BOOK 9501 PAGE 417 OR OTHER
 REFERENCE SOURCE THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED
 AS DRAWN FROM INFORMATION IN PLAT BOOK PAGE OR OTHER REFERENCE SOURCE
 THAT THE RATIO OF PRECISION BEFORE ADJUSTMENTS IS $1:10,000$ AND
 THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE OF LAND SURVEYING IN
 NORTH CAROLINA (21 N.C.G.S. 1800) THIS 22 DAY OF APRIL 2022.

PRELIMINARY PLAT NOT FOR RECORDATION,
 CONVEYANCES, OR SALES.

LICENSE NO. PLS-3853

SURVEYOR
 SEAL



NOTES

1. THERE IS NO HORIZONTAL CONTROL WITHIN 2000 FEET.
2. PROPERTY SUBJECT TO ANY EASEMENTS OF RECORD.
3. ACRES BY COORDINATE COMPUTATION.
4. THIS IS NOT AN ACTUAL SURVEY DRAWN FROM MAPS FOR REZONING PURPOSES.

LEGEND

EIP = EXISTING IRON PIPE	N = NORTH
ERBR = EXISTING REBAR	S = SOUTH
ECM = EXISTING CONCRETE MONUMENT	E = EAST
SRBR = SET IRON REBAR	W = WEST
EIS = EXISTING IRON STAKE	C/L = CENTERLINE
FWG = FLUSH WITH GROUND	
R/W = RIGHT-OF-WAY	
AG = ABOVE GROUND	SURVEYED LINE
BG = BELOW GROUND	DEED OR PLAT LINE
INT = INTERSECTION	EASEMENT LINE
DB = DEED BOOK	RIGHT OF WAY
PB = PLAT BOOK	POWER LINE
PG = PAGE	

GOLF ACRES
 PG. 41, PG. 5

GMR CAPITAL, LLC
 DB. 11514, PG. 740
 PB. 113, PG. 17

JNM OF NC, INC.
 DB. 9501, PG. 417

TOWN OF HOPE MILLS
 DB. 2782, PG. 299

GOLFVIEW DRIVE-SR 1115 50' PUBLIC R/W

REFERENCES

0414-12-7031
 DB. 9501, PG. 417

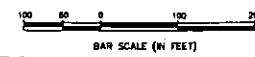
PRELIMINARY PLAT FOR REZONING PURPOSES
 PROPERTY OF

JMN OF NC, INC.

ROCKFISH TOWNSHIP
 HOPE MILLS
 SCALE: 1" = 100'

CUMBERLAND COUNTY
 NORTH CAROLINA
 DATE SURVEYED = N/A

JEFFREY B. RIDDLE PLS-3853
 5965 HALL PARK ROAD FAYETTEVILLE, NC 28306
 1-910-308-9330



DRAWN BY: JR

Owner	Street	City	State	Zip
JNM of NC, Inc	5604 Shady Pine Court	Hope Mills	NC	28348
GMR Capital, LLC	PO Box 53552	Fayetteville	NC	28305
Paul & Allison Johnson	5109 Archer Road	Hope Mills	NC	28348
Fred & Abigail Felder	5105 Archer Road	Hope Mills	NC	28348
Peter Buchholtz	5108 Archer Road	Hope Mills	NC	28348
Theodore Egusquiza	5105 Pringle Way	Hope Mills	NC	28348
Town of Hope Mills	5770 Rockfish Road	Hope Mills	NC	28348
Cyndi Lee McKinney	3310 South Peak Drive	Fayetteville	NC	28306
Candice Maria Britt Swinson	PO Box 1284	Holly Springs	NC	27540
Michael Joseph Harris	3618 Golfview Road	Hope Mills	NC	28348
Roy & Gwendolyn Chavis	3622 Golfview Road	Hope Mills	NC	28348
James & Teresa Back	3626 Golfview Road	Hope Mills	NC	28348
Anthony & Priscilla Huggins	4437 Bishamon Street	Hope Mills	NC	28348
Jennifer & Janet Dearborn	4441 Bishamon Street	Hope Mills	NC	28348
Ann Ellis	4445 Bishamon St	Hope Mills	NC	28348
James Rupert Holland	4500 Bent Grass Drive	Fayetteville	NC	28348
James Wallace Simmons	4363 Dominique Street	Hope Mills	NC	28348
Ricky & Amber Blackwell	615 Sunpointe Drive	Hope Mills	NC	28348
Ronald Gosciniak	4364 Dominique Street	Hope Mills	NC	28348
Genesis Real Property	4381 N 75th St Ste 201	Scottsdale	AZ	85251
Daniel & Kimberly Strahan	5203 Ballentine Street	Hope Mills	NC	28348
Raphael Okojie	5312 Old Railroad Way	Hope Mills	NC	28348
Abraham Delossantos	5308 Old Railroad Way	Hope Mills	NC	28348
Sarah Walls	5304 Old Railroad Way	Hope Mills	NC	28348
Jerry David Gouveia	5300 Old Railroad Way	Hope Mills	NC	28348
Douglas & Brenda Delong	5250 Old Railroad Way	Hope Mills	NC	28348
Kristen Harmon	5246 Old Railroad Way	Hope Mills	NC	28348



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF AUGUST 15, 2023

TO: JOINT PLANNING BOARD

FROM: PLANNING & INSPECTIONS DEPARTMENT

DATE: 8/15/2023

SUBJECT: NC AMERICAN PLANNING ASSOCIATION STATE CONFERENCE