

Clarence Grier
County Manager

Sally Shutt
Assistant County
Manager



Rawls Howard
Director

David Moon
Deputy Director

CUMBERLAND COUNTY JOINT PLANNING BOARD

AGENDA
April 15, 2025
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
- VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE
- VII. PUBLIC MEETING CONSENT ITEMS

REZONING CASES

- A. **CASE ZNG-005-25: Rezoning of 0.49 +/- acres from C(P) Planned Commercial to R6A Residential or to a more restrictive zoning district, located at 2427 Applebury Ln REID 0405960631000, submitted by Mike Adams with MAPS Surveying, Inc (applicant) on behalf of MAC Brother Painting, LLC (Owners). (Hope Mills)**
- B. **CASE ZNG-006-25: Request for site plan revision of previously approved site plans for empty lot located 973 +/- feet from the southwestern intersection of Golfview Rd & Souchak Dr REID 0414127276000, submitted by GMR Capital, LLC (Owners). (Hope Mills)**
- C. **CASE ZNG-007-25: Initial Zoning of 0.73 +/- acres to C(P)/CZ Planned Commercial with Conditional Zoning or to a more restrictive zoning district, located at 140 Missy Byrd Dr REID 0423171469000, submitted by George Rose, P.E. (applicant) on behalf of Joseph Callis (Owner). (Hope Mills)**
- D. **CASE ZON-24-0031: Rezoning request from PND Planned Neighborhood District to A1/CZ Agriculture District Conditional Zoning or to a more restrictive zoning district for four parcels combining a total of 44.95 +/- acres; located at 430 Carvers Falls Rd.; submitted by Timothy Bryant (Agent/Applicant); City of Fayetteville (Owner)**
- E. **CASE ZON-25-0006: Rezoning request from RR Rural Residential to M(P)/CZ Planned Industrial District Conditional Zoning or to a more restrictive**

zoning district for a 30.24 +/- acre parcel; located at 2524 Lucas Rd; submitted by Alex and Shayla Edwards (Owners and Applicant).

- F. CASE ZON-25-0007: Rezoning request from RR Rural Residential District and R15 Residential District to R20 Residential District or to a more restrictive zoning district for two parcels combining a total of 93.36 +/- acres; located on the north side of Johnson Farm Rd, southwest of Elliot Farm Rd; submitted by Scott Brown (Agent) and owned by ABJ Investments (Applicant).**
- G. CASE ZON-25-0009: Rezoning request from A1 Agricultural District to R40 Residential District or to a more restrictive zoning district for parcel comprising 2.19 +/- acres; and located at 2070 Canady Pond Rd; submitted by Jeff Riddle (Agent), Cape Fear Investments (Owner/Applicant).**
- H. CASE ZON-25-0010: Rezoning request from A1 Agriculture District to R40 Residential District or to a more restrictive zoning district for 16.6 +/- acres; located east of Rock Hill Road and north of Rocky River Road; submitted by Timothy Evans (Agent); Mary Parker on behalf of James McNeill Williams (Owner).**

VIII. DISCUSSION

I. LAND DEVELOPMENT ORDINANCE (LDO)

IX. 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 APRIL 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 4/15/2025

**SUBJECT: CASE ZNG-005-25: REZONING OF 0.49 +/- ACRES FROM C(P)
PLANNED COMMERCIAL TO R6A RESIDENTIAL OR TO A MORE
RESTRICTIVE ZONING DISTRICT, LOCATED AT 2427 APPLEBURY LN
REID 0405960631000, SUBMITTED BY MIKE ADAMS WITH MAPS
SURVEYING, INC (APPLICANT) ON BEHALF OF MAC BROTHER
PAINTING, LLC (OWNERS). (HOPE MILLS)**

ATTACHMENTS:

Description

ZNG-005-25

Type

Backup Material



STAFF REPORT

REZONING CASE# ZNG-005-25

Planning Board Meeting: 4-15-2025

Hope Mills Board Meeting: 5-19-2025

Address: 2427 Applebury Lane

ZONING REQUEST: Rezone to R6A Residential District

The Town of Hope Mills staff received an application request to rezone 0.49 +/- acres of land from C(P) Planned Commercial to R6A Residential District for parcel identification number 0405-96-0631. The subject property is adjacent to undeveloped commercial property as well as single family homes and across the street from Player's Mobile Estates Mobile Home Park. The Plan Review staff worked diligently with the applicant to facilitate the submission of this rezoning request. The location of the subject property is illustrated in Exhibit "A."

SUBJECT PROPERTY INFORMATION

OWNER/APPLICANT:

Mike Adams with MAPS Surveying, Inc (applicant) on behalf of MAC Brother Painting, LLC (owners)

ADDRESS/LOCATION:

2427 Applebury Ln,
REID 0405960631000
For additional Information on the site location, refer to Exhibit "A"

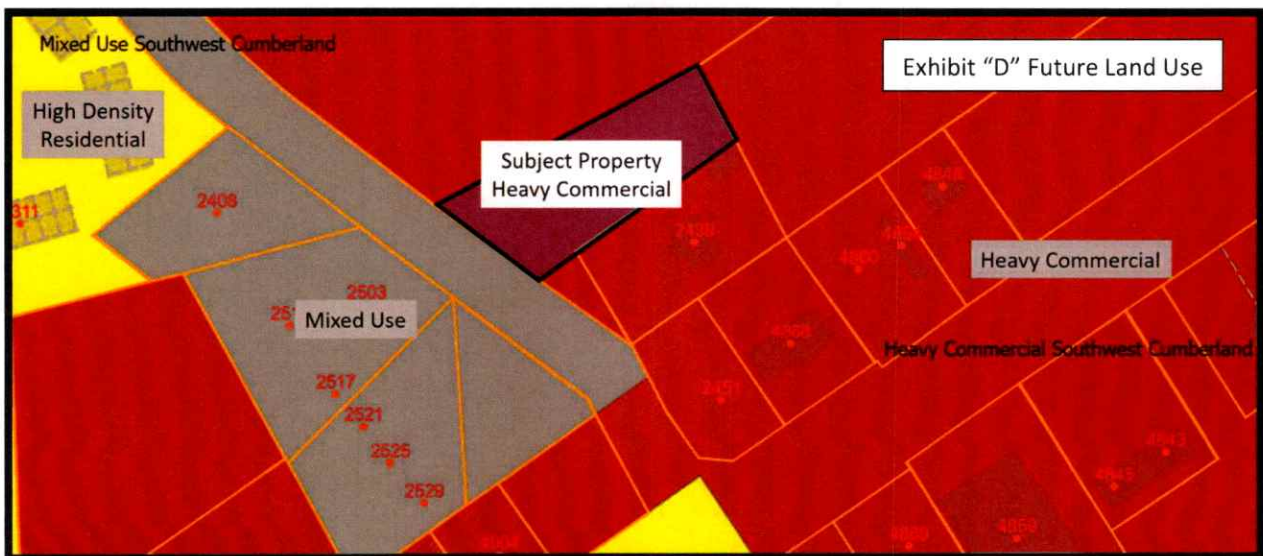
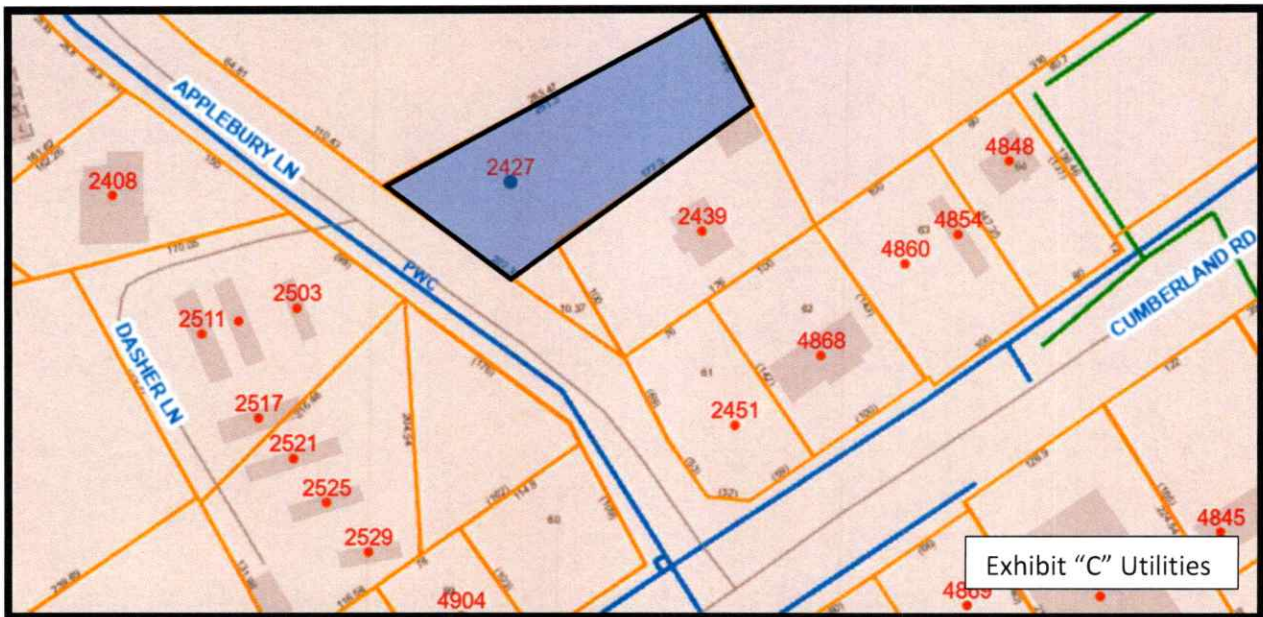
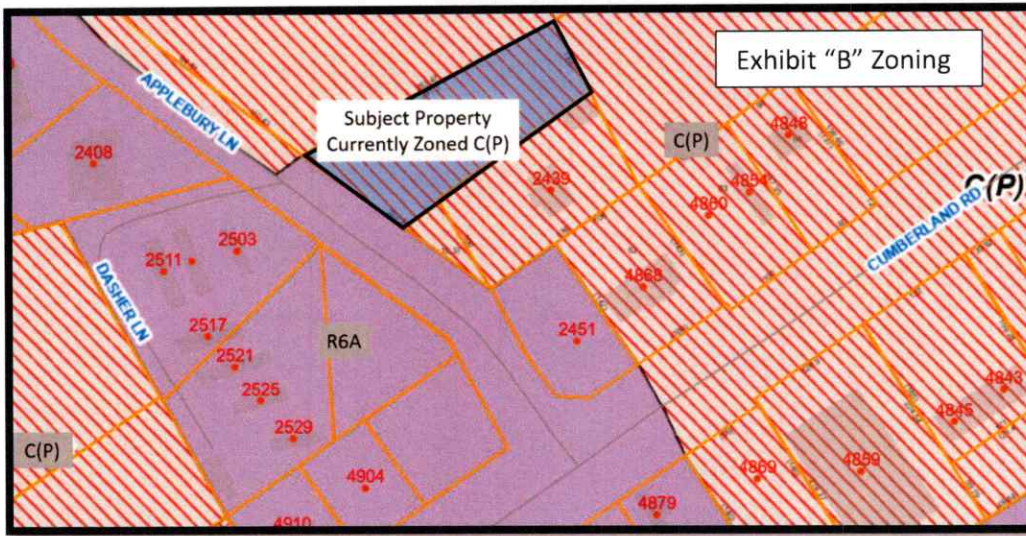
SIZE: As stated above, the subject property 0.49 acres in size with varying lengths of depth is being looked at today.



EXISTING ZONING: The subject property is currently zoned under C(P) Planned Commercial District with the area immediately adjacent being zoned C(P) Planned Commercial, while the area across the street is zoned R6A Residential.

EXISTING LAND USE: This property is currently undeveloped/unoccupied.

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



DEVELOPMENT REVIEW: Site plan approval is required before development.

COMPREHENSIVE DEVELOPMENT PLANS: This site is located within the Southwest Cumberland Land Use Plan area (2013) and is designated as "Heavy Commercial. While the requested zoning does not fit within the guidelines of the Southwest Cumberland Land Use Plan, it does complement the surrounding area nicely as the area across the street is a residential as well as the adjacent properties along the southwest border of the subject property. Please refer to Exhibit "D" for additional information.

DIMENSIONAL PROVISIONS TIED TO THE REQUEST:

MINIMUM STANDARD	EXISTING ZONING	PROPOSED ZONING
Front Yard Setback	50 feet	25 feet
Side Yard Setback	30 feet	10 + feet/story
Rear Yard Setback	30 feet	30 feet
Lot Area	N/A	6,000
Lot Width	N/A	60 feet

IMPACTS ON AREA FACILITIES

UTILITIES: Water is available on Applebury Lane for connection. Depending on what is developed, the water main could be tapped or may require an extension. For sewer, a sewer main extension would be required.

STORMWATER: Stormwater Management Permit Application required. No floodplain present.

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 the Airport Overlay District.

CUMBERLAND COUNTY SCHOOLS: The school zones for this location includes Cumberland Mills Elementary, Douglas Byrd Middle, and Douglas Byrd High School

FAMPO: The subject property sits on Applebury Lane and is identified as a local road in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned and the subject property will have no significant impact on the Transportation Improvement Program. In addition, Applebury Lane has no 2021 AADT or road capacity data available. Due to lack of data and the small scale, the new zoning request does not demand a trip generation. The new development should not generate enough traffic to significantly impact Applebury Lane.

ENVIRONMENTAL HEALTH: This site will require a septic permit from Environmental Health for development.

PUBLIC WORKS: No comment.

NCDOT: Did not receive any comments.

RLUAC: No comment.

FCEDC: Has no issue with this action.

CODE DEVIATIONS: None.

STAFF RECOMMENDATION

In ZNG-005-24, the Town of Hope Mills Planning staff **recommends approval** of the rezoning request to the R6A Residential Zoning district and finds that even though this request is not consistent with the Southwest Cumberland Land Use Plan (2013), designating this property the requested R6A will complement the current and future vision of the Town of Hope Mills. 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 development of adjacent parcels in the surrounding area.





Town of Hope Mills

Planning Department

CASE NO.: ZNG-005-25

ZONING BOARD
MEETING DATE: 4/15/25

DATE APPLICATION
SUBMITTED: 3/17/25

RECEIPT NO.: R00027000

RECEIVED BY: GAN

APPLICATION FOR (CHECK ONE):
☐ INITIAL ZONING OR ☒ REZONING
HOPE MILLS ZONING ORDINANCE

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

1. A digital and hard 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 \$ 500.
(updated fee schedule can be found on the Town website)

Rezoning & Initial Zoning Procedure:

1. Complete application submitted by the applicant.
2. Notification to surrounding property owners.
3. Cumberland County Joint Planning Board hearing.
4. Re-notification of interested parties and adjacent property owners; public hearing advertisement in the newspaper.
5. Hope Mills Board of Commissioners' public hearing (approximately two to four weeks after Planning Board public hearing)
6. If approved by the Hope Mills Commissioners, rezoning/initial zoning of the property/properties 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/initial zoning 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 CUMBERLAND COUNTY JOINT PLANNING 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/Initial Zoning from C(P) to R6A
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/Initially Zoned: 2427 Applebury Lane Fayetteville NC 28306
3. Parcel Identification Number (PIN #) of property: 0405960631000
(also known as Tax ID Number or Property Tax ID)
4. Acreage: 0.49 Frontage: 102.32' Depth: 237.78'
5. Water Provider: Well: _____ PWC: X
6. Septage Provider: Septic Tank X PWC _____ Other (name) _____
7. Deed Book 11308, Page(s) 567 Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).
8. Existing use(s) of property: Vacant
9. Proposed use(s) of the property: Vacant
10. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes X No _____
If yes, where? 2439 Applebury Ln
11. Has a violation been issued on this property? Yes _____ No X

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.

Mac Brother Painting LLC
Property owner(s)' name (print or type)

807 Schley Dr Fayetteville NC 28314
Complete mailing address of property owner(s)

910-670-5707 910-670-6254
Telephone number Alternative telephone number



mageorge.albert@yahoo.com N/A
E-mail address Fax number

MAPS Surveying Inc (Mike Adams)
Agent, attorney, or applicant (other than property owner) (print or type)

216 Mason St Fayetteville NC 28301
Complete mailing address of agent, attorney, or applicant

910-484-6432 910-257-5766
Telephone number Alternative telephone number

maps@mapssurveying.com N/A
E-mail address 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.



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

Receipt Number: R00027000
Cashier Name: Vonda Johnson
Terminal Number: 5
Receipt Date: 3/17/2025 8:41:55 AM

Tran. Code: 103650 - Zoning Permits/Applications
Zoning Permits/Applications \$500.00

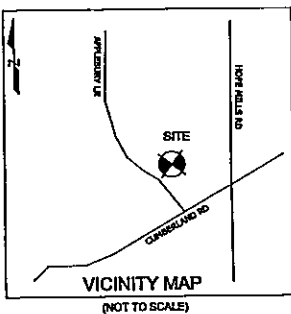
Name: MAPS SURVEYING INC

\$500.00

Payment Method: Check Payor: MAPS SURVEYING INC Reference: 5677

Total Amount Applied: \$500.00
Amount: \$500.00
Total Payment Received: \$500.00
Change: \$0.00

GL Distribution:	Account Number	Account Name	Amount
	10-3650	ZONING PERMITS	500.00
		Total Distribution Amount:	500.00



LEGEND

SIP-SET IRON PIPE
EIP-EXISTING IRON REBAR
TIP-EXISTING IRON TIE
EIP-EXISTING IRON PIPE
PFI-FLAT IRON
PG-PAVE
L/W-ASHT OF WAY
OR-EXISTING IRON
EIPF-EXISTING IRON POREPUNCH TOP
SF-SQUARE FEET
AC-ACRES

SYMBOLS

O-IRON/ST/EP

CERTIFICATE OF SURVEY AND ACCURACY

I, MICHAEL J. ADAMS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (OWN DESCRIPTION RECORDED BY DEED BOOK 11308, PAGE 807 AND PLAT BOOK 45, PAGE 22) THAT THE DIMENSIONS AND BEARINGS INDICATED AS DIMENSIONS FROM INFORMATION PLAINED IN PLAT BOOK 11308, PAGE 22 THAT THE AREA OF THIS PLAT IS GREATER THAN 1:10,000 THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH S.E. 40-30 AS AMENDED, WITHIN MY ORIGINAL JURISDICTION, REGISTRATION NUMBER AND EXPIRATION DATE THIS 29TH DAY OF JANUARY, 2025.

Michael J. Adams
MICHAEL J. ADAMS
N.E. 1-4992
C.R. 10-499

SEAL
L-4481
NORTH CAROLINA
PROFESSIONAL
LAND SURVEYOR
MICHAEL J. ADAMS

I, MICHAEL J. ADAMS, BY SIGNATURE, ALSO HEREBY CERTIFY THAT THIS PLAT IS OF ANOTHER CATEGORY, SUCH AS THE BOUNDARY OF A PARCEL, A COURT ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

OWNERS CONSENT

THE UNDERSIGNED HEREBY ACKNOWLEDGE THAT THE LAND SHOWN ON THIS PLAT IS WITHIN THE JURISDICTION OF CUMBERLAND COUNTY AND THAT THIS PLAT IS A FINAL PLAT ACT AND DEED AND LINE DO HEREBY DEDICATE TO PUBLIC USE AS STREETS AND SUBMENTS SO SHOWN OR INDICATED ON THIS PLAT.

Charles F. Malmgren

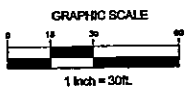
NOTARY

STATE OF NORTH CAROLINA
COUNTY OF ROBERTSON

I, Kelly Ivory, a notary public of the county and state aforesaid, certify that *Charles F. Malmgren* personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp on and the 25th day of February, 2025.

Kelly Ivory
Kelly Ivory
My Commission Expires June 21, 2027

NOTARY
PUBLIC
ROBERTSON COUNTY NC



REVIEW OFFICER

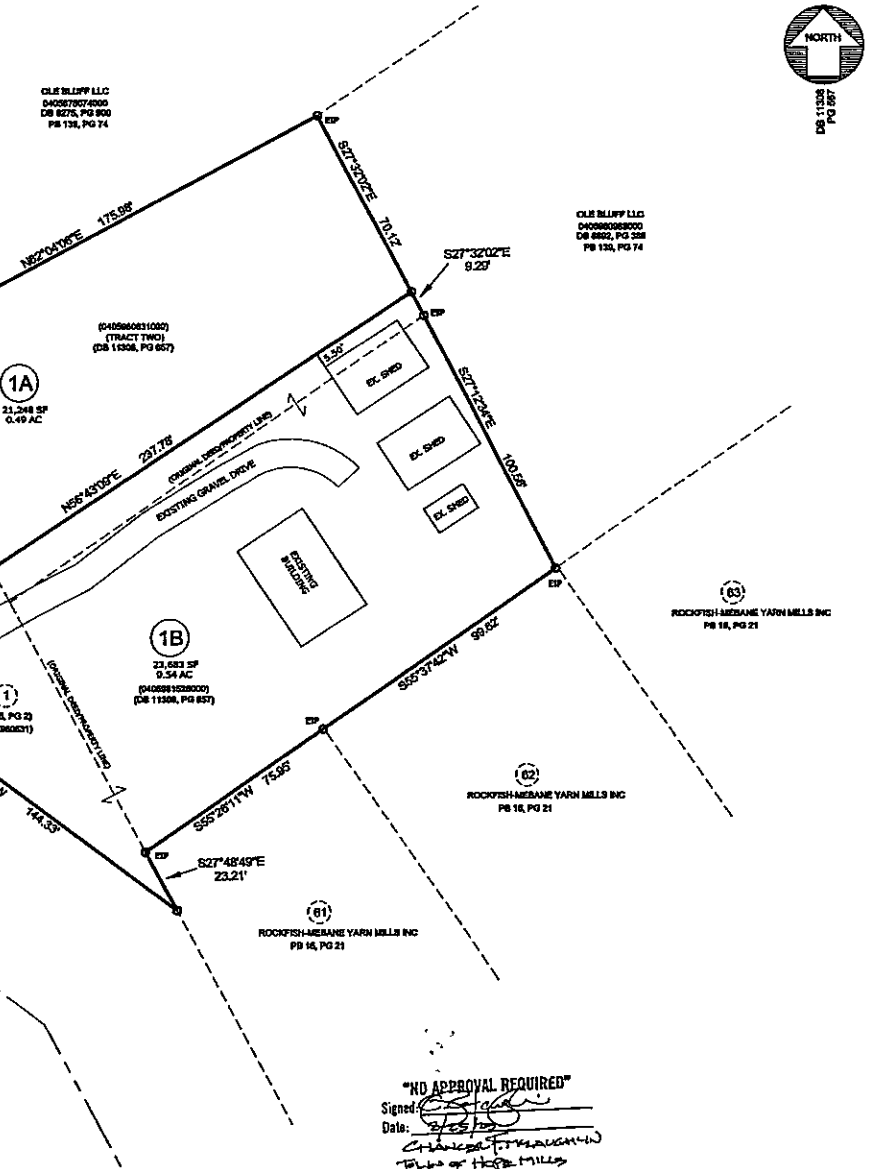
STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

Mark McDowell
Mark McDowell, Review Officer of Cumberland County, certify that the map or plat to which this certificate is affixed meets all statutory requirements for recording.

Mark McDowell 3/2/25
Mark McDowell Date

NOTES

1. AREA COMPUTED BY COORDINATES.
2. SET IRON PIPES ON ALL CORNERS NOT MONUMENTED.
3. ALL DIMENSIONS ARE HORIZONTAL MEASUREMENTS.
4. NO JOBS MONUMENT FOUND WITHIN 200' OF SUBJECT PROPERTY.
5. PERMANENT EMBANKMENT (EIP) ZONING: 30'-WIDE 30'-HIGH 30'-WIDE.
6. LINES NOT SURVEYED ARE SHOWN AS DASHED LINES FROM INFORMATION REFERENCED ON THE FACE OF THIS PLAT.
7. THIS SURVEY WAS DONE WITHOUT SHIRTS OF A TITLE SEARCH AND IS BASED ON REFERENCES INFORMATION SHOWN HEREON. OTHER DOCUMENTS OF RECORD MAY EXIST WHICH COULD AFFECT THIS PROPERTY. NO RESPONSIBILITY IS ASSUMED BY THE SURVEYOR FOR ANY CONDITIONS WHICH MAY PRESENTLY EXIST BUT ARE UNKNOWN OR REFERENCED HEREON, SUCH AS BUT NOT LIMITED TO HAZARDOUS WASTE MATERIALS, EMBANKMENTS, CONTAINERS, AND FLOOD AREAS.
8. SUBJECT PROPERTY IS BEING LOCATED IN A SPECIAL FLOOD HAZARD AREA AND MONUMENTING STRUCTURES HAVE NOT BEEN CREATED BY THIS RECOMMENDATION.



RECOMMENDATION FOR

MAC BROTHER PAINTING LLC

RECOMMENDATION OF DB 11308, PG. 807
P.B. 45, PG. 2

ADDRESS: 2438 APPLESBURY LN
TOWNSHIP: ROCKFISH
TAX PARCEL MAP ABOVE
COUNTY: CUMBERLAND

SCALE: 1" = 30'
DATE: JANUARY 28, 2025
ZONING: C/P
CITY: HOPE MILLS, NC

Jessie Bellflowers
Mayor

Chancer F. McLaughlin
Town Manager



Kenjuana McCray
Mayor Pro-Tem

Emily Weidner
Director

April 2, 2025

MAC Brother Painting, LLC
807 Schley Drive
Fayetteville, NC 28314

Dear MAC Brother Painting, LLC,

The Joint Planning Board of Cumberland County will hold a public meeting on April 15, 2025, beginning at 6:00 p.m. or shortly thereafter, in Court Room 3 on the 2nd floor of the Old Historic Court House Building, located at 130 Gillespie Street, Fayetteville, NC and will consider the following:

Case ZNG-005-25: Rezoning of 0.49 +/- acres from C(P) Planned Commercial to R6A Residential or to a more restrictive zoning district, located at 2427 Applebury Ln REID 0405960631000, submitted by Mike Adams with MAPS Surveying, Inc (agent) on behalf of MAC Brother Painting, LLC (owners).

Persons who wish to speak at this public meeting before the Joint Planning Board must sign up prior to commencement of the meeting. A sign-up sheet will be available 15 minutes before the start of the JPB meeting. Covid-19 protocols must be followed upon entering the building.

A copy of the zoning application can be viewed by the public at the Hope Mills Town Hall, 5770 Rockfish Road, Hope Mills, NC from 8:00 am to 4:30 pm weekdays but excluding holidays. Further information can also be found at: <https://www.townofhopemills.com/527/Pending-Public-Hearing-Items>. If you have questions regarding the proposed rezoning application or the upcoming Joint Planning Board meeting, please call the Town Planning staff at (910) 424-4555.

Sincerely,

Emily Weidner
Planning & Economic
Development Services Director

Cc: Adjacent Property Owners

Owner	Street	City	State	Zip
MAC Brother Painting, LLC	807 Schley Dr	Fayetteville	NC	28314
Ole Bluff LLC	2936 Ole Bluff Mill Rd	Fayetteville	NC	28306
Ole Bluff LLC	PO Box 48099	Cumberland	NC	28331
Roscoe Lee Strickland, Jr & Dell Jacobs Strickland	3344 Brushy Hill Rd	Fayetteville	NC	28306



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 4/15/2025

**SUBJECT: CASE ZNG-006-25: REQUEST FOR SITE PLAN REVISION OF
PREVIOUSLY APPROVED SITE PLANS FOR EMPTY LOT LOCATED
973 +/- FEET FROM THE SOUTHWESTERN INTERSECTION OF
GOLFVIEW RD & SOUCHAK DR REID 0414127276000, SUBMITTED BY
GMR CAPITAL, LLC (OWNERS). (HOPE MILLS)**

ATTACHMENTS:

Description

ZNG-006-25

Type

Backup Material



STAFF REPORT

REZONING CASE# ZNG-006-25

Planning Board Meeting: 4-15-2025

Hope Mills Board Meeting: 5-19-2025

Address: 937 ft from southwestern intersection of Golfview Rd and Souchak Dr

ZONING REQUEST: Site plan revision for R5/CZ Residential with Conditional Zoning

The Town of Hope Mills staff received an application request for site plan revision on previously approved site plans for 50.76 +/- acres of land involving parcel identification number 0414-12-7276. The plans were previously approved in 2022 and in 2024 when they were separate parcels and the projects included the apartment complex and single-family homes with some town homes. It is now all one parcel and the plan shows the same apartments with changes to the location of the garages along with all town homes that will be individually owned with zero lot line instead of a mix of town homes and single-family homes. The plan will still include having a landscape buffer between the property and Town property as well as the six-foot privacy fence between the apartments and the adjacent properties in the Golf Acres subdivision. The subject property is adjacent to the Golf Acres subdivision, Town property (previously known as the golf course), and across the street from the Eaglewood Forest subdivision. The Plan Review staff worked diligently with the applicant to facilitate the submission of this site plan revision request. The location of the subject property is illustrated in Exhibit "A" while you will be able to see the latest revision of the site plan in Exhibit "E" and you will find the previously approved site plans in Exhibits "F" and "G."

SUBJECT PROPERTY INFORMATION

OWNER/APPLICANT:

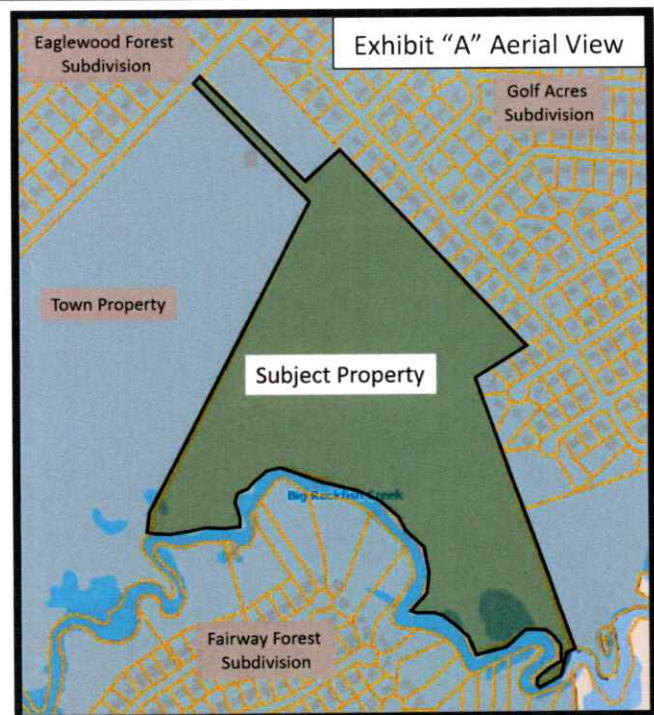
Rodney Sherrill & Mark Knight (agents), on behalf of GMR Capital, LLC (owners)

ADDRESS/LOCATION:

937 ft from southwestern intersection of Golfview Rd and Souchak Dr,
REID 0414127276000
For additional Information on the site location, refer to Exhibit "A"

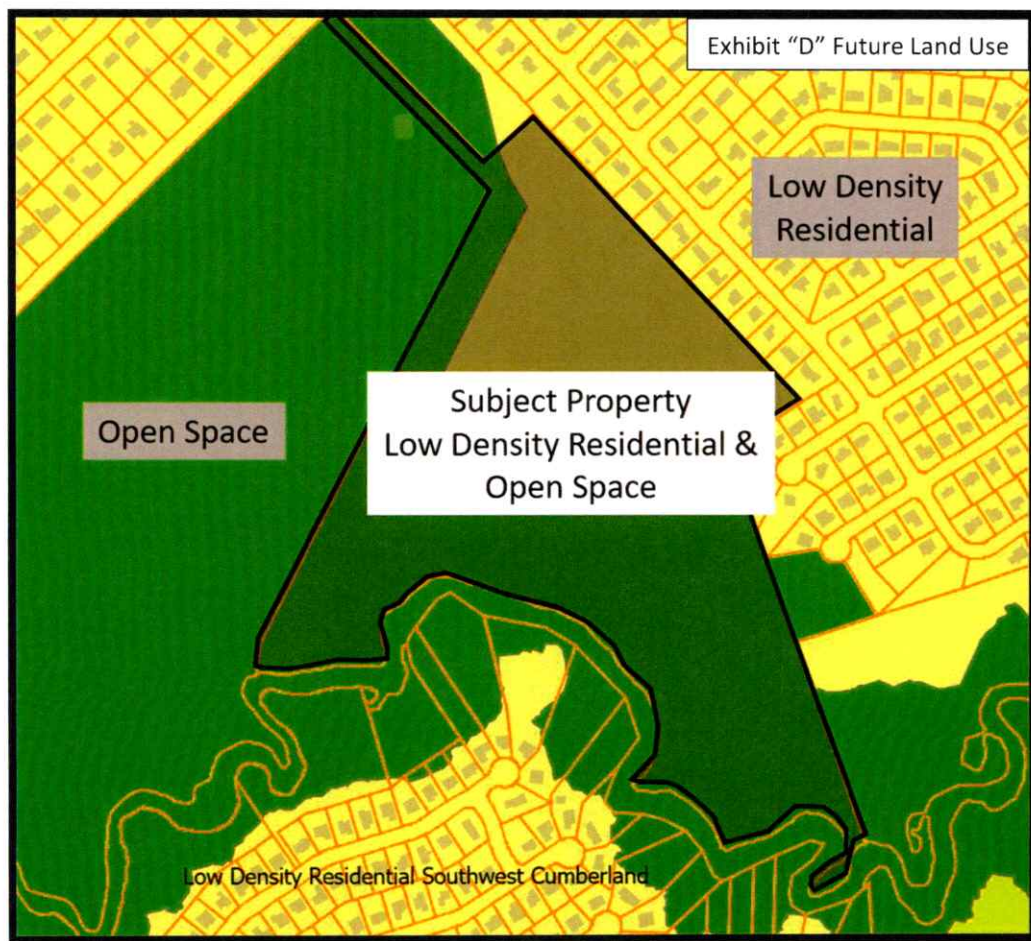
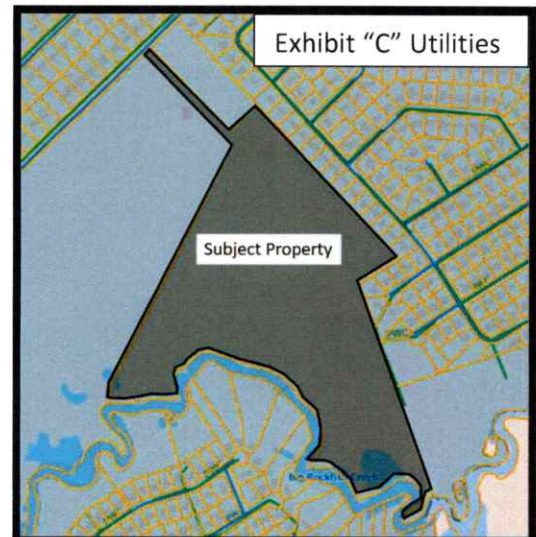
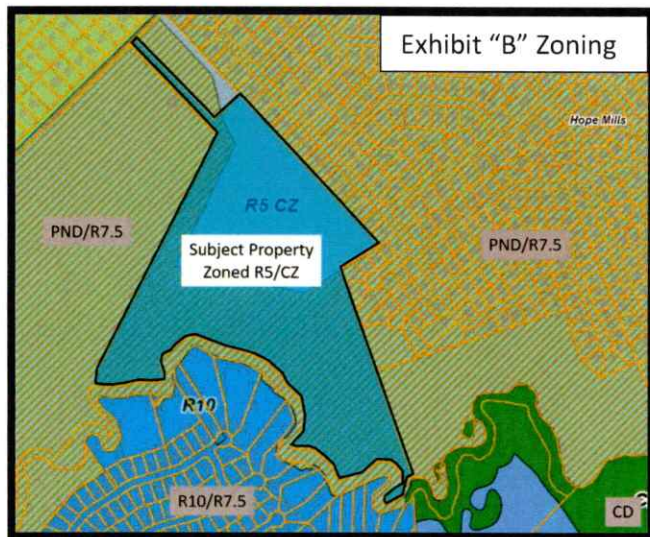
SIZE: As stated above, the subject property 50.76 acres in size with varying lengths of depth is being looked at today.

EXISTING ZONING: The subject property is currently zoned under R5/CZ Residential with Conditional Zoning



EXISTING LAND USE: This property is currently undeveloped/unoccupied.

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 both "Low Density Residential" and "Open Space." Even though this request is not consistent with the "Open Space" section of the land use plan, it is in compliance with the "Low Density" designation and it is also located adjacent to several other residential developments such as Golf Acres subdivision, and Eaglewood Forest subdivision. Please refer to Exhibit "D" for additional information.

DIMENSIONAL PROVISIONS TIED TO THE REQUEST:

MINIMUM STANDARD	EXISTING ZONING	PROPOSED ZONING
Front Yard Setback	25 feet	25 feet
Side Yard Setback	5 feet	5 feet/Zero Lot Line
Rear Yard Setback	5 feet	5 feet/Zero Lot Line
Lot Area	5,000+	5,000+
Lot Width	60 feet	60 feet

IMPACTS ON AREA FACILITIES

UTILITIES: Each building will need its own water and sewer service. Water and sewer main extension will be required.

STORMWATER: Will require Stormwater Management Permit application and Floodplain Development Permit (if they decide to develop in the floodplain), is 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 the Airport Overlay District.

CUMBERLAND COUNTY SCHOOLS: The school zones for this location includes Rockfish Elementary, Hope Mills Middle, and South View High School

FAMPO: Golfview Road

The subject property sits on Golfview Road and is identified as a minor arterial in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned and the subject property will have no significant impact on the Transportation Improvement Program. In addition, Golfview Road has a 2021 AADT of 12,500 and a road capacity of 10,500. Due to lack of data and the small scale, the new zoning request does not demand a trip generation. The new development should generate enough traffic to significantly impact Golfview Road as it is already over capacity.

Souchak Drive

The subject property sits on Souchak Drive and is identified as a local road in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned and the subject property will have no significant impact on the Transportation Improvement Program. In addition, Souchak Drive has no 2021 AADT or road capacity data available. Due to lack of data and the small scale, the new zoning request does not demand a trip generation. The new development should generate enough traffic to significantly impact Souchak Drive

ENVIRONMENTAL HEALTH: No comment.

PUBLIC WORKS: Must adhere to requirements set forth by the Standards and Specifications Manual

NCDOT: Did not receive any comments.

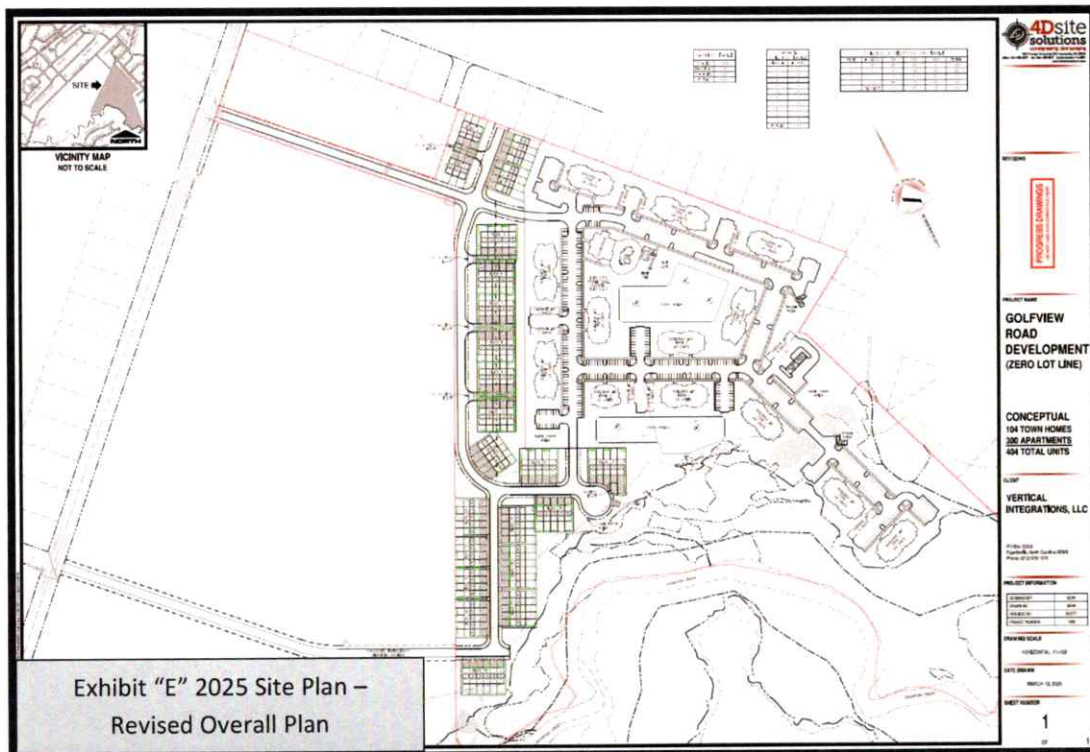
RLUAC: No comment.

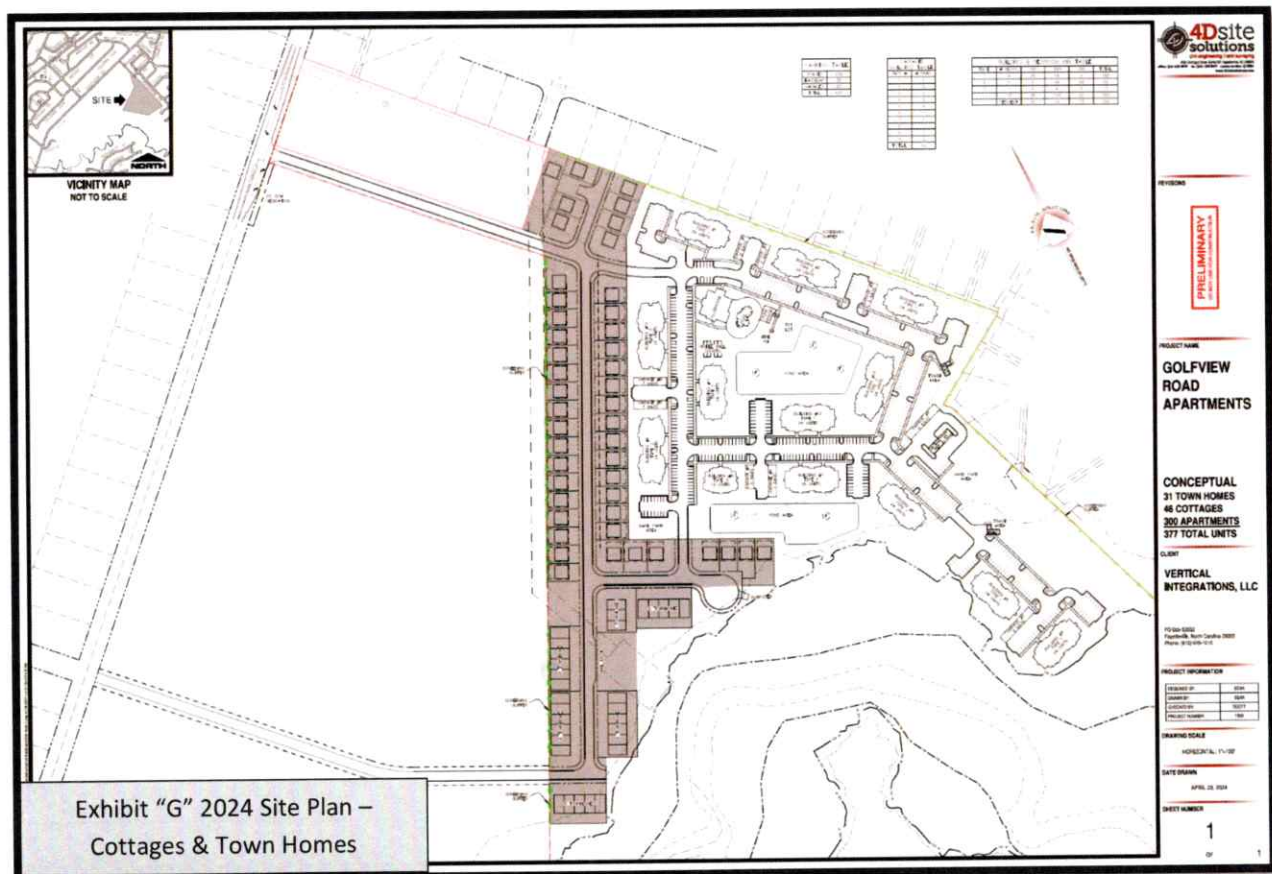
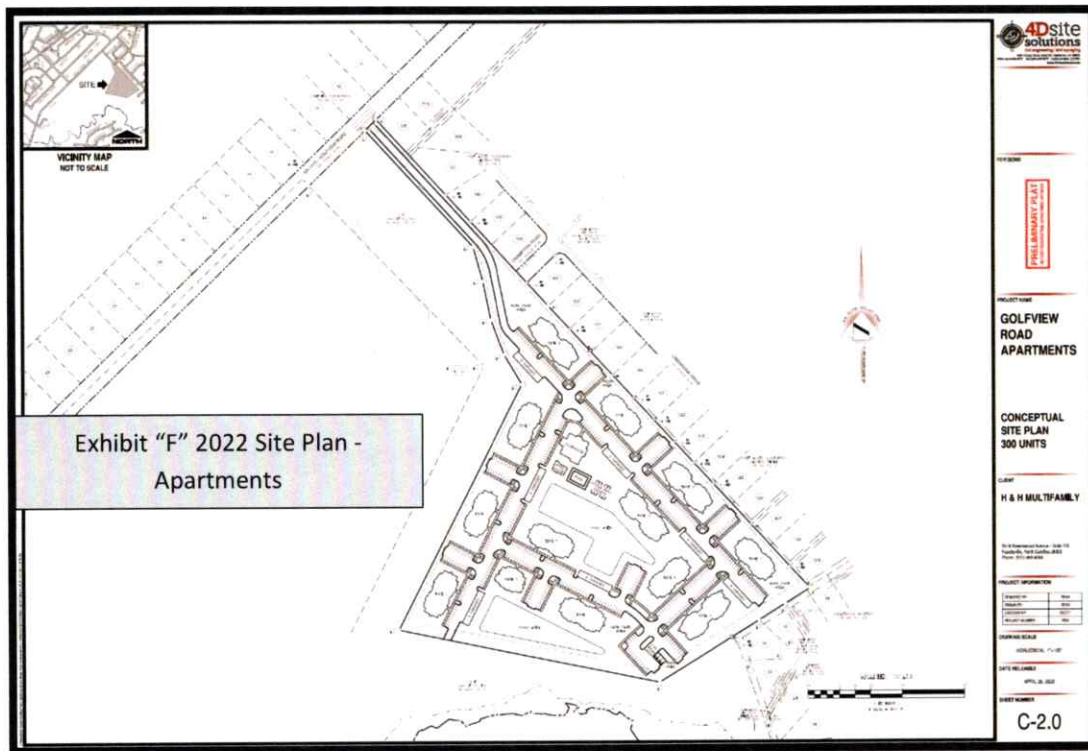
FCEDC: Has no issue with this action.

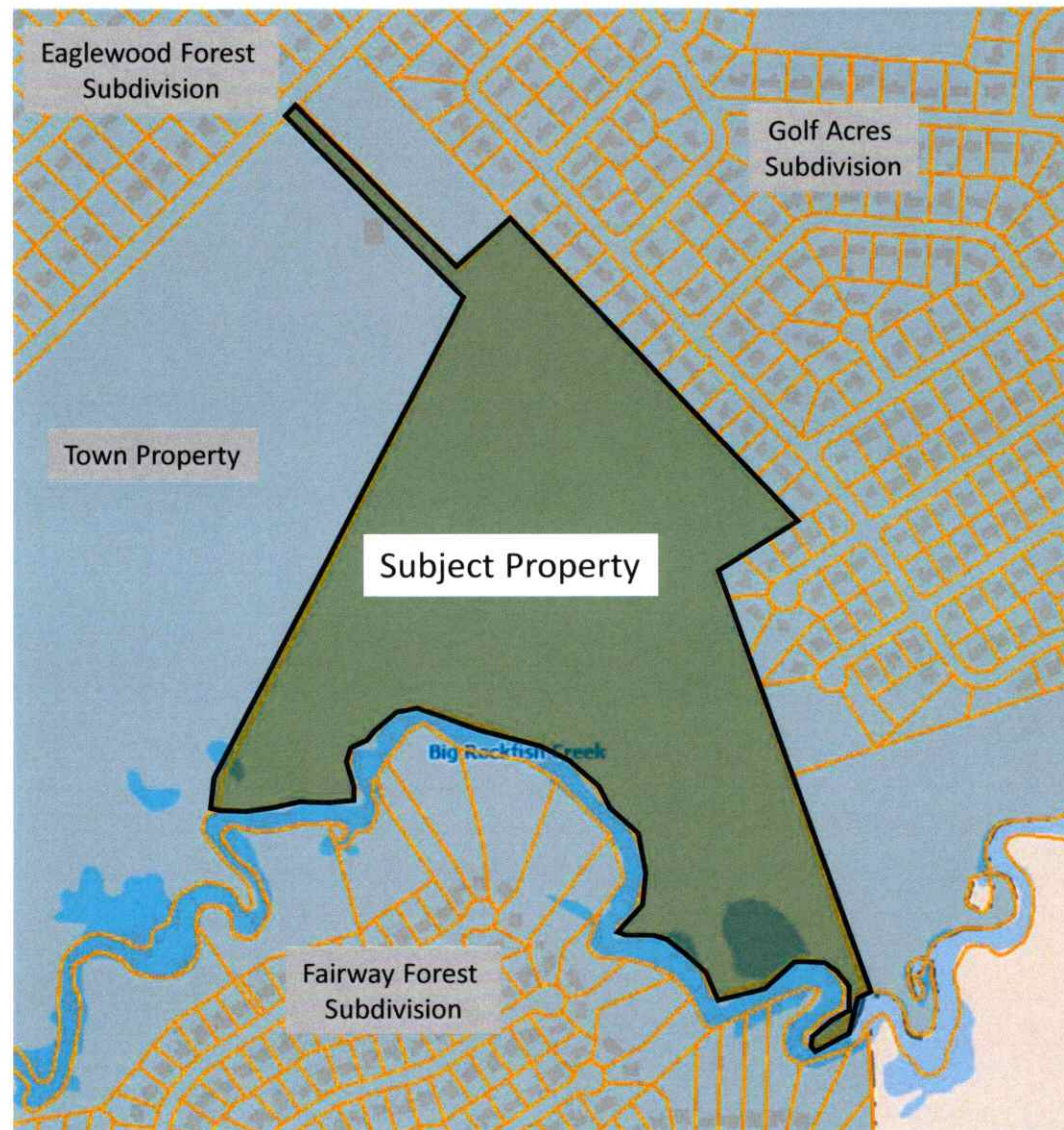
CODE DEVIATIONS: None.

STAFF RECOMMENDATION

In ZNG-006-25, the Town of Hope Mills Planning staff **recommends approval** of the site plan revision to the previously approved site plan for the R5/CZ Residential Conditional Zoning district and finds that the request is partially consistent with the Southwest Cumberland Land Use Plan (2013) designation, it does mirror and compliment the area around this property in that it is residential and there is anticipation for community friendly development of what was previously considered to be the Hope Mills Golf Course. 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.









VICINITY MAP
NOT TO SCALE

PARKING TABLE	
SPACES	308
HANDICAP	30
GARAGES	62
TOTAL	800

GARAGE BUILDING TABLE	
BLDG #	# BAYS
1	5
2	5
3	5
4	9
5	8
6	7
7	5
8	7
9	7
10	3
TOTAL	62

BUILDING & BEDROOM MIX TABLE					
TYPE	# BDRS	1BR	2BR	3BR	TOTAL
1	8	96	96	X	192
2	4	X	48	48	96
3	1	X	8	8	16
	13	96	150	54	300
	PERCENT	32	50	18	100



REVISIONS

PROGRESS DRAWINGS
DO NOT USE FOR CONSTRUCTION

PROJECT NAME

**GOLFVIEW
ROAD
DEVELOPMENT
(ZERO LOT LINE)**

**CONCEPTUAL
104 TOWN HOMES
300 APARTMENTS
404 TOTAL UNITS**

CLIENT

**VERTICAL
INTEGRATIONS, LLC**

PO Box 52652
Fayetteville, North Carolina 28305
Phone: (910) 978-1010

PROJECT INFORMATION

DESIGNED BY:	SEAN
DRAWN BY:	SEAN
CHECKED BY:	SCOTT
PROJECT NUMBER:	1960

DRAWING SCALE

HORIZONTAL: 1"=100'

DATE DRAWN

MARCH 13, 2025

SHEET NUMBER

1

OF

1



Town of Hope Mills

Planning Department

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 Cumberland County Joint Planning 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 properties, which may be affected by the proposed Conditional Zoning. In addition, a sign will be posted on the property.

The Cumberland County Joint Planning 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 Cumberland County Joint Planning 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*.

CASE NO.: ZN6-006-25

ZONING BOARD
MEETING DATE: 4/15/25

DATE APPLICATION
SUBMITTED: 3/17/25

RECEIPT NO.: R00027001

RECEIVED BY: gms

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 CUMBERLAND COUNTY JOINT PLANNING 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 GMR CAPITAL, LLC
2. Address: PO BOX 53552, FAY, NC Zip Code 28305
3. Telephone: (Home) — (Work) 910.978.1010
4. Location of Property: GOLFVIEW RD, Hope Mills
5. Parcel Identification Number (PIN #) of subject property: 0414127276000
(also known as Tax ID Number or Property Tax ID)
6. Acreage: TBD Frontage: 301' Depth: 2,000'
7. Water Provider: PWC Septage Provider: PWC
8. Deed Book 12079, Page(s) 0353, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: OLD GOLF COURSE
10. Proposed use(s) of the property: MULTI-FAMILY

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 ☐
12. Has a violation been issued on this property? Yes ☐ No ☒
13. It is requested that the foregoing property be rezoned FROM: PND → RS/CZ
TO: (Select one) "ACREAGE MODIFICATION"

_____ Conditional Zoning District, with an underlying zoning district of _____
(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.)

MULTI-FAMILY

- 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.

300

2. DIMENSIONAL REQUIREMENTS:

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

SEE SITE PLAN

- 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.

SEE SITE PLAN

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIV.

MEET ORDINANCE

REGS

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.**

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.**

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.

N/A

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.

GMR CAPITAL, LLC - Rodney Sherrill / MARK KNIGHTS
NAME OF OWNER(S) (PRINT OR TYPE)

PO Box 53552, Fayetteville, NC 28305
ADDRESS OF OWNER(S)

rodney@bridgewater.holdings / mark@bridgewater.holdings
E-MAIL

Rodney: 910.978.1010 MARK: 910.391.1577
HOME TELEPHONE WORK TELEPHONE

[Signature] [Signature]
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."



Town of Hope Mills

Planning Department

APPLICATION FOR CONDITIONAL ZONING DISTRICT REZONING REQUEST HOPE MILLS ZONING ORDINANCE

CASE NO.: ZNG-006-25

ZONING BOARD
MEETING DATE: 4/15/25

DATE APPLICATION
SUBMITTED: 3/17/25

RECEIPT NO.: 200027001

RECEIVED BY: cmw

Upon receipt of this application (petition), the Planning Staff will schedule the request to be heard by the Cumberland County Joint Planning 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 properties, which may be affected by the proposed Conditional Zoning. In addition, a sign will be posted on the property.

The Cumberland County Joint Planning 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 Cumberland County Joint Planning 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 CUMBERLAND COUNTY JOINT PLANNING 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 COTTAGES AT GOLFVIEW, LLC
2. Address: PO BOX 53552, FAY, NC Zip Code 28305
3. Telephone: (Home) — (Work) 910.978.1010
4. Location of Property: GOLFVIEW Rd, Hope Mills
5. Parcel Identification Number (PIN #) of subject property: 0414127276000
(also known as Tax ID Number or Property Tax ID)
6. Acreage: TBD Frontage: 232' Depth: 1570'
7. Water Provider: PWC Septage Provider: PWC
8. Deed Book 12079, Page(s) 0353, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: OLD GOLF COURSE
10. Proposed use(s) of the property: ZERO LOT LINE
TOWN HOME COMMUNITY (BUILD/SELL)
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 —
12. Has a violation been issued on this property? Yes — No ✓
13. It is requested that the foregoing property be rezoned FROM: PND → R5/CZ
TO: (Select one) "ACREAGE MODIFICATION"

_____ Conditional Zoning District, with an underlying zoning district of _____
(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.)

ZERO LOT LINE
RESIDENTIAL TOWN HOME

- 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. UMT: 104

SEE SITE PLAN

2. DIMENSIONAL REQUIREMENTS:

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

SEE SITE PLAN

- 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.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIV.

MEET ORDINANCE
REGS

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.**

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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.

N/A

6. SITE PLAN REQUIREMENTS:

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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.

COTTAGES AT GOLFVIEW, LLC - Rodney Sherrill / MARIC KNIGHT
NAME OF OWNER(S) (PRINT OR TYPE)

PO BOX 53552, FAY, NC 28305
ADDRESS OF OWNER(S)

rodney@bridgewater.holdings / maric@bridgewater.holdings
E-MAIL

Rodney: 910-978-1010
HOME TELEPHONE

MARIC: 910-391-1577
WORK TELEPHONE

[Signature]
SIGNATURE OF OWNER(S)

[Signature]
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."**



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

Receipt Number: R00027001

Cashier Name: Vonda Johnson

Terminal Number: 5

Receipt Date: 3/17/2025 8:46:48 AM

Tran. Code: 103650 - Zoning Permits/Applications

Name: BRIDGEWATER HOLDINGS, LLC

\$800.00

Zoning Permits/Applications \$800.00

Payment Method: Check

Payor: BRIDGEWATER HOLDINGS, Reference: 2020

Total Amount Applied: \$800.00

Amount: \$800.00

Total Payment Received: \$800.00

Change: \$0.00

GL Distribution:	Account Number	Account Name	Amount
	10-3650	ZONING PERMITS	800.00
		Total Distribution Amount:	800.00

Jessie Bellflowers
Mayor

Chancer F. McLaughlin
Town Manager



Kenjuana McCray
Mayor Pro-Tem

Emily Weidner
Director

April 2, 2025

GMR Capital, LLC
PO Box 53552
Fayetteville, NC 28305

Dear GMR Capital, LLC,

The Joint Planning Board of Cumberland County will hold a public meeting on April 15, 2025, beginning at 6:00 p.m. or shortly thereafter, in Court Room 3 on the 2nd floor of the Old Historic Court House Building, located at 130 Gillespie Street, Fayetteville, NC and will consider the following:

Case ZNG-006-25: Rezoning of 50.76 +/- acres from R5/CZ Residential with Conditional Zoning to R5/CZ Residential with Conditional Zoning or to a more restrictive zoning district, located 973 +/- feet from the southwestern intersection of Golfview Rd & Souchak Dr REID 0414127276000, submitted by GMR Capital, LLC (owners).

Persons who wish to speak at this public meeting before the Joint Planning Board must sign up prior to commencement of the meeting. A sign-up sheet will be available 15 minutes before the start of the JPB meeting. Covid-19 protocols must be followed upon entering the building.

A copy of the zoning application can be viewed by the public at the Hope Mills Town Hall, 5770 Rockfish Road, Hope Mills, NC from 8:00 am to 4:30 pm weekdays but excluding holidays. Further information can also be found at: <https://www.townofhopemills.com/527/Pending-Public-Hearing-Items>. If you have questions regarding the proposed rezoning application or the upcoming Joint Planning Board meeting, please call the Town Planning staff at (910) 424-4555.

Sincerely,

Emily Weidner
Planning & Economic
Development Services Director

Cc: Adjacent Property Owners

Owner	Street	City	State	Zip
GMR Capital, LLC	PO Box 53552	Fayetteville	NC	28305
James & Teresa Back	3625 Golfview Rd	Hope Mills	NC	28348
Roy Dean Chavis, Jr & Gwendolyn	3622 Golfview Rd	Hope Mills	NC	28348
JNM of NC, Inc	5604 Shady Pine Ct	Hope Mills	NC	28348
Korey Martinez & Jennifer A Skinkle-Martinez	5741 Crenshaw Dr	Hope Mills	NC	28348
Freda Houston	5737 Crenshaw Dr	Hope Mills	NC	28348
Theodore Paul Boesel	5733 Crenshaw Dr	Hope Mills	NC	28348
Stephen Fuller	5729 Crenshaw Dr	Hope Mills	NC	28348
Stephen & Saundra England	5725 Crenshaw Dr	Hope Mills	NC	28348
Christopher & Sonia Rhodie	6300 Touchstone Dr	Fayetteville	NC	28311
On-Son Lopez	5719 Crenshaw Dr	Hope Mills	NC	28348
Filiberto & Maria Arroyo	5717 Crenshaw Dr	Hope Mills	NC	28348
Nakeitha Brayboy	5715 Crenshaw Dr	Hope Mills	NC	28348
Alyssa Buckland & Brandon Boahn	5713 Crenshaw Dr	Hope Mills	NC	28348
Sheryl Garcia-Bell Life Estate	5709 Crenshaw Dr	Hope Mills	NC	28348
Daniel & Shanna Buford	5705 Crenshaw Dr	Hope Mills	NC	28348
Christian Roose	5701 Crenshaw Dr	Hope Mills	NC	28348
Jordan Bryant Jackson	5699 Crenshaw Dr	Hope Mills	NC	28348
Bobby E Hart	5121 Archer Rd	Hope Mills	NC	28348
Matthew & Emily Cooper	5117 Archer Rd	Hope Mills	NC	28348
Austin Estrela	5113 Archer Rd	Hope Mills	NC	28348
Paul & Allison Johnson	5109 Archer Rd	Hope Mills	NC	28348
Fred & Abigail Felder	5105 Archer Rd	Hope Mills	NC	28348
Peter Buchholtz	5108 Archer Rd	Hope Mills	NC	28348
Theodore Egusquiza	5105 Pringle Way	Hope Mills	NC	28348
Cyndi Lee McKinney	3310 South Peak Dr	Fayetteville	NC	28306
Richard Sibbett	5609 Par Ct	Hope Mills	NC	28348
Kristen Danielle Harmon	5246 Old Railroad Way	Hope Mills	NC	28348
Brenda & Douglas Delong	5250 Old Railroad Way	Hope Mills	NC	28348
Jerry David Gouveia	5300 Old Railroad Way	Hope Mills	NC	28348
Shannon Pease-Ekebom & Linn Paulina Irene Ekebom	5304 Old Railroad Way	Hope Mills	NC	28348
Abraham & Helen Delossantos	5308 Old Railroad Way	Hope Mills	NC	28348
Raphael Okojie	5312 Old Railroad Way	Hope Mills	NC	28348

Kimberly Strahan	5203 Ballentine St	Hope Mills	NC	28348
Genesis Real Property Holdings, LLC	4381 N 75th St Ste 201	Scottsdale	AZ	85251
Ronald Gosciniak	4364 Dominique St	Hope Mills	NC	28348
Amber & Ricky Blackwell	615 Sunpointe Dr	Hope Mills	NC	28348
James Wallace, Jr & Dianna Simmons	4363 Dominique St	Hope Mills	NC	28348
James R Holand III & James R Holland, Jr.	4500 Bent Grass Dr	Fayetteville	NC	28312
Ann Ellis	4445 Bishamon St	Hope Mills	NC	28348
Jennifer & Janet Dearborn	4441 Bishamon St	Hope Mills	NC	28348
Priscilla & Anthony Huggins	4437 Bishamon St	Hope Mills	NC	28348



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 4/15/2025

**SUBJECT: CASE ZNG-007-25: INITIAL ZONING OF 0.73 +/- ACRES TO C(P)/CZ
PLANNED COMMERCIAL WITH CONDITIONAL ZONING OR TO A
MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 140 MISSY
BYRD DR REID 0423171469000, SUBMITTED BY GEORGE ROSE, P.E.
(APPLICANT) ON BEHALF OF JOSEPH CALLIS (OWNER). (HOPE
MILLS)**

ATTACHMENTS:

Description

ZNG-007-25

Type

Backup Material



STAFF REPORT

REZONING CASE# ZNG-007-25

Planning Board Meeting: 4-15-2025

Hope Mills Board Meeting: 5-19-2025

Address: 140 Missy Byrd Dr

ZONING REQUEST: Initially Zone to C(P)/CZ Planned Commercial with Conditional Zoning

The Town of Hope Mills staff received an application request to initially zone 0.73 +/- acres of land to C(P)/CZ Planned Commercial with Conditional Zoning parcel identification number 0423-17-1469. The subject property is adjacent to undeveloped commercial property as well as developed commercial properties such as Eagles Auto Detailing & Power Washing and NuBlue Electric, Plumbing and Air. The conditions requested by the applicant include changing the front yard setback from 50 feet to 47 feet as will be shown in Exhibit "E." The Plan Review staff worked diligently with the applicant to facilitate the submission of this rezoning request. The location of the subject property is illustrated in Exhibit "A."

SUBJECT PROPERTY INFORMATION

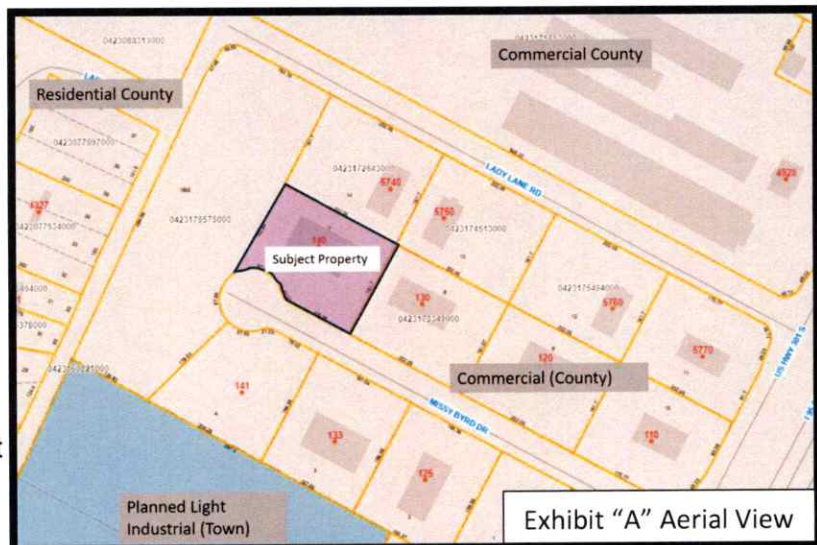
OWNER/APPLICANT:

George Rose, P.E. (applicant) on behalf of Joseph Callis, 140 Missy Byrd Lane, LLC (owner)

ADDRESS/LOCATION:

140 Missy Byrd Drive,
REID 0423171469000
For additional Information on the site location, refer to Exhibit "A"

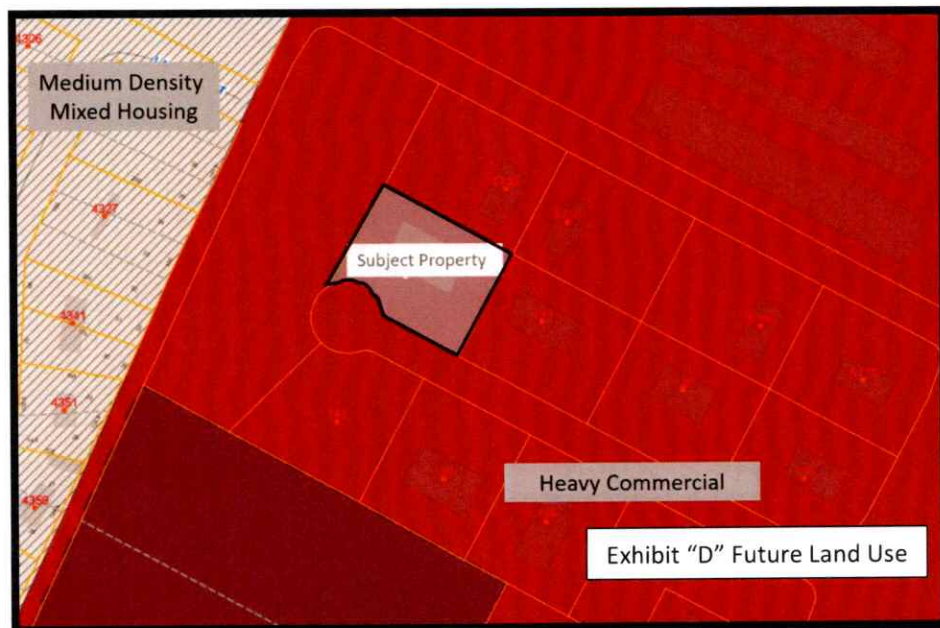
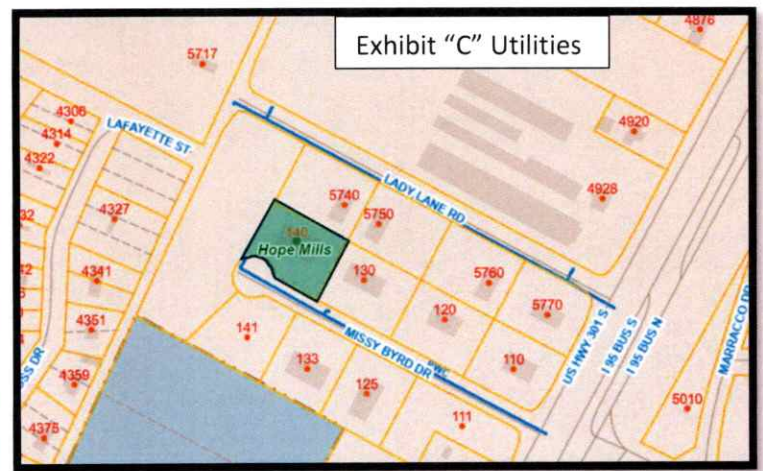
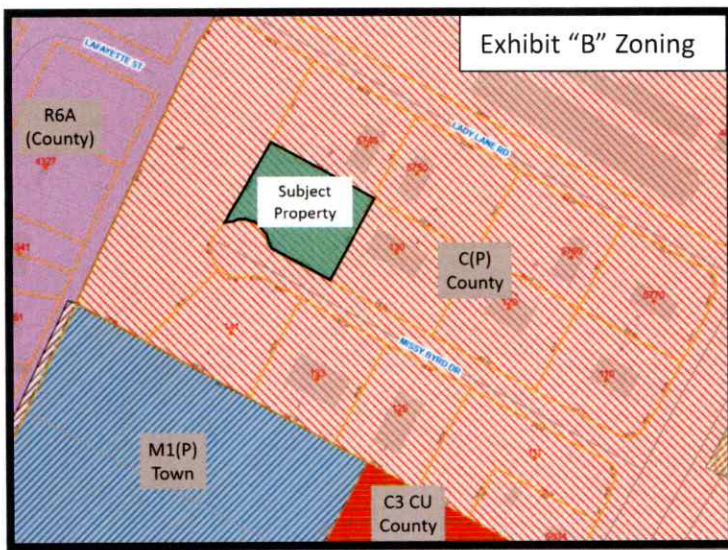
SIZE: As stated above, the subject property 0.73 acres in size with varying lengths of depth is being looked at today.



EXISTING ZONING: The subject property is currently zoned under C(P) Planned Commercial District (within the Cumberland County jurisdiction) with the area immediately adjacent being zoned C(P) Planned Commercial.

EXISTING LAND USE: This property is currently undeveloped/unoccupied.

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



DEVELOPMENT REVIEW: Site plan approval is required before development.

COMPREHENSIVE DEVELOPMENT PLANS: This site is located within the Southwest Cumberland Land Use Plan area (2013) and is designated as "Heavy Commercial. While the requested zoning does not fit within the guidelines of the Southwest Cumberland Land Use Plan, it does complement the surrounding area nicely as the area across the street is a residential as well as the adjacent properties along the southwest border of the subject property. Please refer to Exhibit "D" for additional information.

DIMENSIONAL PROVISIONS TIED TO THE REQUEST:

MINIMUM STANDARD	EXISTING ZONING	PROPOSED ZONING
Front Yard Setback	50 feet	47 feet
Side Yard Setback	30 feet	30 feet
Rear Yard Setback	30 feet	30 feet
Lot Area	N/A	N/A
Lot Width	N/A	N/A

IMPACTS ON AREA FACILITIES

UTILITIES: Water is available on Missy Byrd Dr for connection.

STORMWATER: Stormwater Management Permit Application required. No floodplain present.

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 the Airport Overlay District.

CUMBERLAND COUNTY SCHOOLS: No comment.

FAMPO: The subject property sits on Missy Byrd Drive and is identified as a local road in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned and the subject property will have no significant impact on the Transportation Improvement Program. In addition, Missy Byrd Drive has no 2021 AADT or road capacity data available. Due to lack of data and the small scale, the new zoning request does not demand a trip generation. The new development should not generate enough traffic to significantly impact Missy Byrd Drive.

ENVIRONMENTAL HEALTH: This site will require a septic permit from Environmental Health for development.

FIRE MARSHAL: Hydrant required within 300' curb feet of the building and 26' wide access minimum for fire apparatus

PUBLIC WORKS: Standard requirements as per Ordinances and the Standards and Specifications Manual.

FAYETTEVILLE AIRPORT: No comment.

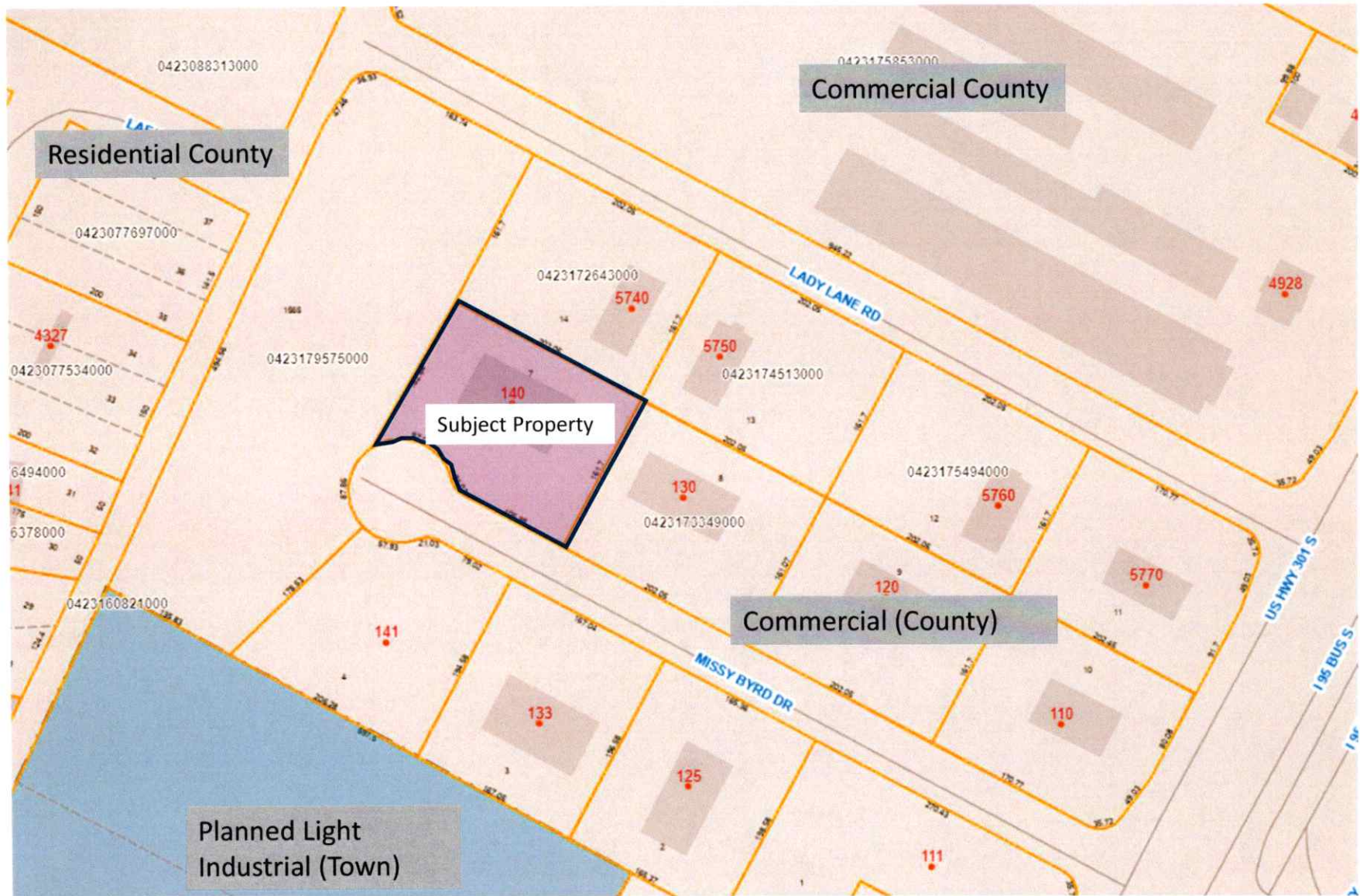
NCDOT: Did not receive any comments.

RLUAC: No comment.

FCEDC: Has no issue with this action.

STAFF RECOMMENDATION

[illegible]





10

NOTES

- 三

NI6

- 110

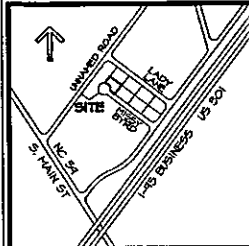
1992



1

1

100



VICINITY MAP
NO SCALE

LEGEND

- EP EXISTING IRON PIPE (PROPERTY CORNER)
- ERB EXISTING REBAR (PROPERTY CORNER)
- ECM EXISTING CONCRETE MONUMENT (PROPERTY CORNER)
- CP COMPUTED POINT
- R/W RIGHT-OF-WAY

NOTES

1. TOTAL AREA IN TRACT = 31,548 SF = 0.72 ACRES
2. OWNER:
140 MISSY BYRD LANE LLC
6441 EMU DRIVE
HOPE MILLS, NC 28348
dobbw8@gmail.com
910-484-5193
3. REFERENCE: DB 11563 PG 7; PB 119 PG 109 (LOT 7)
4. REID: 0423171469000
5. CURRENT ZONING: C(P), COUNTY
6. REQUIRED SETBACKS:
FRONT 50'; REAR 30'; 30' SIDES

THE UNDERSIGNED HERE ACKNOWLEDGES THAT THE LAND SHOWN ON THIS PLAN IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE CITY OF FAYETTEVILLE AND THAT THIS PLAT AND ALLOTMENT IS MY FREE ACT AND DEED.

Joseph M. Callis
JOSEPH M. CALLIS 140 MISSY BYRD LANE, LLC

NORTH CAROLINA
CUMBERLAND COUNTY

I, Deanna W. Ham, A NOTARY PUBLIC FOR SAID COUNTY AND STATE AFORESAID CERTIFY THAT Joseph M. Callis PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP THIS 17 DAY OF December A.D., 2024.

Deanna W. Ham
NOTARY PUBLIC

MY COMMISSION EXPIRES: 09/10/2028

DEANNA W. HAM
NOTARY PUBLIC
Cumberland County
North Carolina

"NO APPROVAL REQUIRED"

Signed: [Signature]
Date: 12/23/24
George M. Rose
Town of Hope

I, GEORGE M. ROSE CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 11563 PAGE 7 AND PLAT BOOK 119 PAGE 109; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN DEEDS AS SHOWN; THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, AN ANNEXATION MAP, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION; THAT THE RATIO OF PRECISION AS CALCULATED WAS 1:110,000 +/- THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 12 DAY OF December A.D., 2024.

George M. Rose
PROFESSIONAL LAND SURVEYOR L-2721



STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

I, Deanna Green, REVIEW OFFICER OF CUMBERLAND COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

[Signature] REVIEW OFFICER

DATE: 12/23/24

FILED Dec 23, 2024 10:14:18 am
BOOK 00192
PAGE 0051 THRU 0051
INSTRUMENT # 38990
RECORDING \$21.00
EXCISE TAX (None)

GEORGE M. ROSE, PE, PLS
P.O. Box 53441
Fayetteville, NC 28305



ANNEXATION MAP FOR THE TOWN OF HOPE MILLS
ANNEXATION FILE # A2024-010

PROPERTY OF
140 MISSY BYRD LANE, LLC

ROCKFISH CREEK TOWNSHIP
FAYETTEVILLE
SCALE 1" = 60'

CUMBERLAND COUNTY
NORTH CAROLINA
DECEMBER 2024



Town of Hope Mills
◆
Planning Department

CASE NO.: ZN6-007-25

ZONING BOARD
MEETING DATE: 4/15/25

DATE APPLICATION
SUBMITTED: 3/26/25

RECEIPT NO.: _____

RECEIVED BY: Edw

**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 Cumberland County Joint Planning 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 properties, which may be affected by the proposed Conditional Zoning. In addition, a sign will be posted on the property.

The Cumberland County Joint Planning 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 Cumberland County Joint Planning 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 \$ 0 (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 CUMBERLAND COUNTY JOINT PLANNING 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 140 MISSY BYRD LANE, LLC (JOSEPH CALUS)
2. Address: 6441 EMU DR. HOPE MILLS Zip Code 28348
3. Telephone: (Home) _____ (Work) _____
4. Location of Property: 140 MISSY BYRD LANE
5. Parcel Identification Number (PIN #) of subject property: 0423171469000
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 0.72 Frontage: 224.82 Depth: 161.73
7. Water Provider: PWC Septage Provider: SEPTIC
8. Deed Book 11563, Page(s) 7, 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: COMMERCIAL (TRADES)

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 ☒
12. Has a violation been issued on this property? Yes _____ No ☒
13. It is requested that the foregoing property be rezoned FROM: C(P) COUNTY
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.)

COMMERCIAL - ASPHALT MAINTENANCE AND STRIPING

- 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.

0.72 ACRES COMMERCIAL; 1 LOT; 1 COMMERCIAL BUILDING OF 6,000 SQUARE FEET

2. DIMENSIONAL REQUIREMENTS:

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

REQUIRED SETBACKS: 50' FRONT, 30' REAR, 30' SIDES

PROPOSED FRONT SETBACK: 47.0'

- 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.

9 REGULAR SPACES
1 LOADING SPACE

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIV.

BUSINESS SIGN PLANNED PER REGULATIONS.

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.**

9 ORNAMENTAL TREES ALONG FRONTAGE
4 CANOPY TREES IN ISLANDS
32 SHRUBS AT BUILDING

- 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.**

SETBACKS FROM PROPERTY LINES:
WEST (SIDE) 51.2' NORTH (REAR) 30.1'
EAST (SIDE) 54.0' SOUTH (FRONT) 47.0'

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.

OFFICE OPERATIONS ONLY
HOURS 8-5, MONDAY-FRIDAY

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.

140 MISSY BYRD LANE, LLC (JOSEPH CALLIS)
NAME OF OWNER(S) (PRINT OR TYPE)

6441 EMU DRIVE HOPE MILLS, NC 28348
ADDRESS OF OWNER(S)

carolinastriping@gmail.com
E-MAIL

910-308-9952 910-308-9952
HOME TELEPHONE WORK TELEPHONE

[Signature] [Signature]
SIGNATURE OF OWNER(S) SIGNATURE OF OWNER(S)

140 MISSY BYRD LANE, LLC (JOSEPH CALLIS)
NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

6441 EMU DRIVE, HOPE MILLS, NC 28348
ADDRESS OF AGENT, ATTORNEY, APPLICANT

910-308-9952 910-308-9952
HOME TELEPHONE WORK TELEPHONE

carolinastriping@gmail.com
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."

Jessie Bellflowers
Mayor

Chancer F. McLaughlin
Town Manager



Kenjuana McCray
Mayor Pro-Tem

Emily Weidner
Director

April 2, 2025

140 Missy Byrd Lane, LLC
6441 Emu Dr
Hope Mills, NC 28348

Dear 140 Missy Byrd Lane, LLC,

The Joint Planning Board of Cumberland County will hold a public meeting on April 15, 2025, beginning at 6:00 p.m. or shortly thereafter, in Court Room 3 on the 2nd floor of the Old Historic Court House Building, located at 130 Gillespie Street, Fayetteville, NC and will consider the following:

Case ZNG-007-25: *Initial Zoning of 0.73 +/- acres to C(P)/CZ Planned Commercial with Conditional Zoning or to a more restrictive zoning district, located at 140 Missy Byrd Dr REID 0423171469000, submitted by George Rose, P.E. (applicant) on behalf of Joseph Callis (owner).*

Persons who wish to speak at this public meeting before the Joint Planning Board must sign up prior to commencement of the meeting. A sign-up sheet will be available 15 minutes before the start of the JPB meeting. Covid-19 protocols must be followed upon entering the building.

A copy of the zoning application can be viewed by the public at the Hope Mills Town Hall, 5770 Rockfish Road, Hope Mills, NC from 8:00 am to 4:30 pm weekdays but excluding holidays. Further information can also be found at: <https://www.townofhopemills.com/527/Pending-Public-Hearing-Items>. If you have questions regarding the proposed rezoning application or the upcoming Joint Planning Board meeting, please call the Town Planning staff at (910) 424-4555.

Sincerely,

Emily Weidner
Planning & Economic
Development Services Director

Cc: Adjacent Property Owners

Owner	Street	City	State	Zip
140 Missy Byrd Lane, LLC	6441 Emu Dr	Hope Mills	NC	28348
Small Pond Properties, LLC	903 Hay St	Fayetteville	NC	28305
Singwell South, LLC	2103 Angelia M St	Fayetteville	NC	28301
Arbutina Investments Fay, LLC	13200 Strickland Rd Ste 114-310	Raleigh	NC	27613



Town of Hope Mills Voluntary Annexation Packet

VOLUNTARY ANNEXATION SUBMITTAL REQUIREMENTS:

Only complete submittals will be processed. The following items are required to be submitted to the Town of Hope Mills for your application to be deemed complete:

- ☒ Original Petition Form Signed by ALL Owners of the property.
- ☒ Legal description of the area to be annexed in both hard and digital (Word) format.
- ☒ A complete copy of the last deed of record for each parcel of property to be annexed.
- ☒ 1 paper copy and 1 digital copy of the ***filed** annexation plat prepared by a registered land surveyor including the following information:
 - Title block:
Annexation Map for Town of Hope Mills
Annexation File # _____
 - Vicinity map showing location of property in relation to the primary corporate town limits, (indicate where corporate limits are adjacent to the property or the location of the closest point of the primary Town Limits)
 - Surveyors' certificate.
 - Plat book and page numbers.

CHECK PAYABLE TO TOWN OF HOPE MILLS IN THE AMOUNT OF \$500.00 FOR VOLUNTARY ANNEXATION FEE MUST BE SUBMITTED.

(The petition fee is waived for Voluntary Annexation Petitions that are initiated by the Town through the Water and/or Sewer Annexation Agreements.)

* (Per the Secretary of State's office said plat must be signed by a surveyor but is **not required to be sent through any approval process**. Per GS 47-30 paragraph G. and j. "The provisions of this section shall not apply to boundary plats of State lines, county lines, **areas annexed by municipalities**, nor to plats of municipal boundaries, whether or not required by law to be recorded. ")

Town of Hope Mills

5770 Rockfish Road • Hope Mills, NC 28348 • (910) 424-4555 • (910) 424-4902 fax



Town of Hope Mills
Voluntary Annexation Petition

For Town Clerk Use:

Annexation # _____

To the Board of Commissioners of the Town of Hope Mills:

We, the undersigned, being of all the owners of the real property described herein, respectfully request that the area described herein be annexed to the Town of Hope Mills pursuant to the provisions of G.S. 160A-31.

The area to be annexed is ☐ contiguous ☒ non-contiguous to the existing Town Limits of Hope Mills and the boundaries of such territory are as indicated below and on the attached map and description.

Property Information:

If only part of a parcel is included, then write "Part" after the Cumberland County Parcel Identification Number and Real Estate Identification Number (s).

Cumberland County Parcel Identification Number (s):

0423-17-1469

Cumberland County Real Estate Identification Number (s):

0423171469000

Acreage of Annexation Area: 0.73

Existing Population: _____

Number of existing residential dwelling units: 0

Do you declare vested rights*? ☒ yes ☐ no

*We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate "yes" and attach proof.)

Property Owner(s):

Address:

Signature:

Date:

All property owners must sign this petition including husband and wife if jointly owned.

140 MISSY BYRD LANE, LLC 6441 EMU DR
(JOSEPH M. CALLIS) HOPE MILLS, NC 28348

Joseph M. Callis 12-03-24

Shannon Smith Callis 6441 EMU DR
HOPE MILLS, NC 28348

Shannon L. Callis 12-03-24

*Vested Right - Means the right to undertake and complete the development and use of property under the terms and conditions of an approved site-specific development plan or an approved phased development plan. A vested right shall be deemed established with respect to any property upon valid approval, or conditional approval, of a site-specific development plan or phased development plan, following notice and public hearing by the county with jurisdiction over the property.

Town of Hope Mills

5770 Rockfish Road • Hope Mills, NC 28348 • (910) 424-4555 • (910) 424-4902 fax

FILED ELECTRONICALLY
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.

FILED	Sep 01, 2022
AT	01:13:11 PM
BOOK	11563
START PAGE	0007
END PAGE	0008
INSTRUMENT #	35675
RECORDING	\$26.00
EXCISE TAX	\$185.00

Prepared by: William Lockett Tally
Tally and Tally, Attorneys and Counselors at Law, PLLC, 1318 Raeford Road, Suite B,
Fayetteville, NC 28305 (TITLE NOT CERTIFIED BY PREPARER)
Mail to: Jennifer Cooney

NORTH CAROLINA

Revenue \$185.00

CUMBERLAND COUNTY

WARRANTY DEED

THIS DEED, made this the 31st day of August, 2022, by and between DOHN B. BROADWELL, JR. AND WIFE, SHERRI B. BROADWELL, P. O. Box 53587, Fayetteville, NC 28305-3587, hereinafter called GRANTOR; and 140 MISSY BYRD LANE, LLC, a North Carolina limited liability company, 6441 Emu Drive, Hope Mills, NC 28348, hereinafter called GRANTEE;

WITNESSETH:

That the GRANTOR, for and in consideration of the sum of Ten Dollars and other valuable considerations to it paid by the GRANTEE, the receipt of which is hereby acknowledged, has given, granted, bargained, sold and conveyed, and by these presents does give, grant, bargain, sell and confirm unto the GRANTEE, and its successors and assigns, certain property located in ROCKFISH TOWNSHIP, CUMBERLAND COUNTY, STATE OF NORTH CAROLINA, and more particularly described as follows:

PIN #: 0423-17-1469

BEING ALL OF LOT 7 ACCORDING TO A PLAT OF "ALL AMERICAN BUSINESS PARK" DULY RECORDED IN PLAT BOOK 119, PAGE 109, CUMBERLAND COUNTY, NORTH CAROLINA REGISTRY.

Property address: 140 Missy Byrd Lane, Hope Mills, NC 28348

The above property is conveyed subject to the year 2022 Cumberland County and City of Fayetteville ad valorem taxes that are to be prorated as of the date of closing.


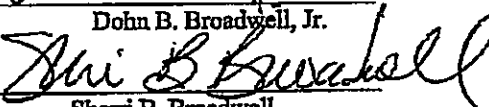
Submitted electronically by "Cooney Law Firm"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Cumberland County Register of Deeds.

No part of the land conveyed is the principal residence of the GRANTOR.

TO HAVE AND TO HOLD the above described premises, together with all the appurtenances thereunto belonging, or in any wise appertaining, unto the GRANTEE, and its successors and assigns, forever.

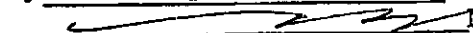
And the GRANTOR covenants that it is seized of said premises in fee and has the right to convey the same in fee simple; that the said premises are free from encumbrances, other than restrictive covenants and utility easements appearing of record, and that it will warrant and defend the title to the same against the lawful claims of all persons whatsoever.

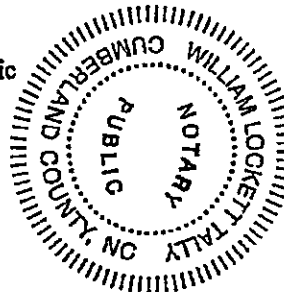
IN WITNESS WHEREOF, DOHN B. BROADWELL, JR. AND SHERRI B. BROADWELL have executed this deed the day and year first above written.


Dohn B. Broadwell, Jr.

Sherri B. Broadwell

State of North Carolina
Cumberland County

I, William Lockett Tally the undersigned, a Notary Public of the County and State aforesaid, certify that DOHN B. BROADWELL, JR. AND SHERRI B. BROADWELL Grantor(s), personally appeared before me this day and acknowledged the execution of the foregoing instrument.
Witness my hand and official stamp or seal, this 8/31/2022

My commission expires: 11/9/2024
 Notary Public



LEGAL DESCRIPTION
140 MISSY BYRD LANE
PROPERTY OF 140 MISSY BYRD LANE, LLC
December 2024

Being all of lot 7 of the All American Business Park as recorded in Plat Book 119 Page
109 of the Cumberland County Registry.



LIMITED LIABILITY COMPANY ANNUAL REPORT

NAME OF LIMITED LIABILITY COMPANY: 140 Missy Byrd Lane, LLC

SECRETARY OF STATE ID NUMBER: 2461800

STATE OF FORMATION: NC

REPORT FOR THE CALENDAR YEAR: 2024

Filing Office Use Only
E - Filed Annual Report
2461800
CA202405904248
2/28/2024 03:17

☐ Changes

SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Callis, Joseph M.

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

6441 Emu Drive

6441 Emu Drive

Hope Mills, NC 28348-9290 Cumberland County

Hope Mills, NC 28348-9290

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Real Estate

2. PRINCIPAL OFFICE PHONE NUMBER: (910) 308-9952

3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

6441 Emu Dr

6441 Emu Dr

Hope Mills, NC 28348-9290

Hope Mills, NC 28348-9290

6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: Joseph Michael Callis

NAME: Shannon Smith Callis

NAME: _____

TITLE: Owner Manager

TITLE: Owner Manager

TITLE: _____

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

6441 Emu Drive

6441 Emu Dr

Hope Mills, NC 28348

Hope Mills, NC 28348-9290

SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

Shannon Smith Callis

2/28/2024

SIGNATURE

DATE

Form must be signed by a Company Official listed under Section C of This form.

Shannon Smith Callis

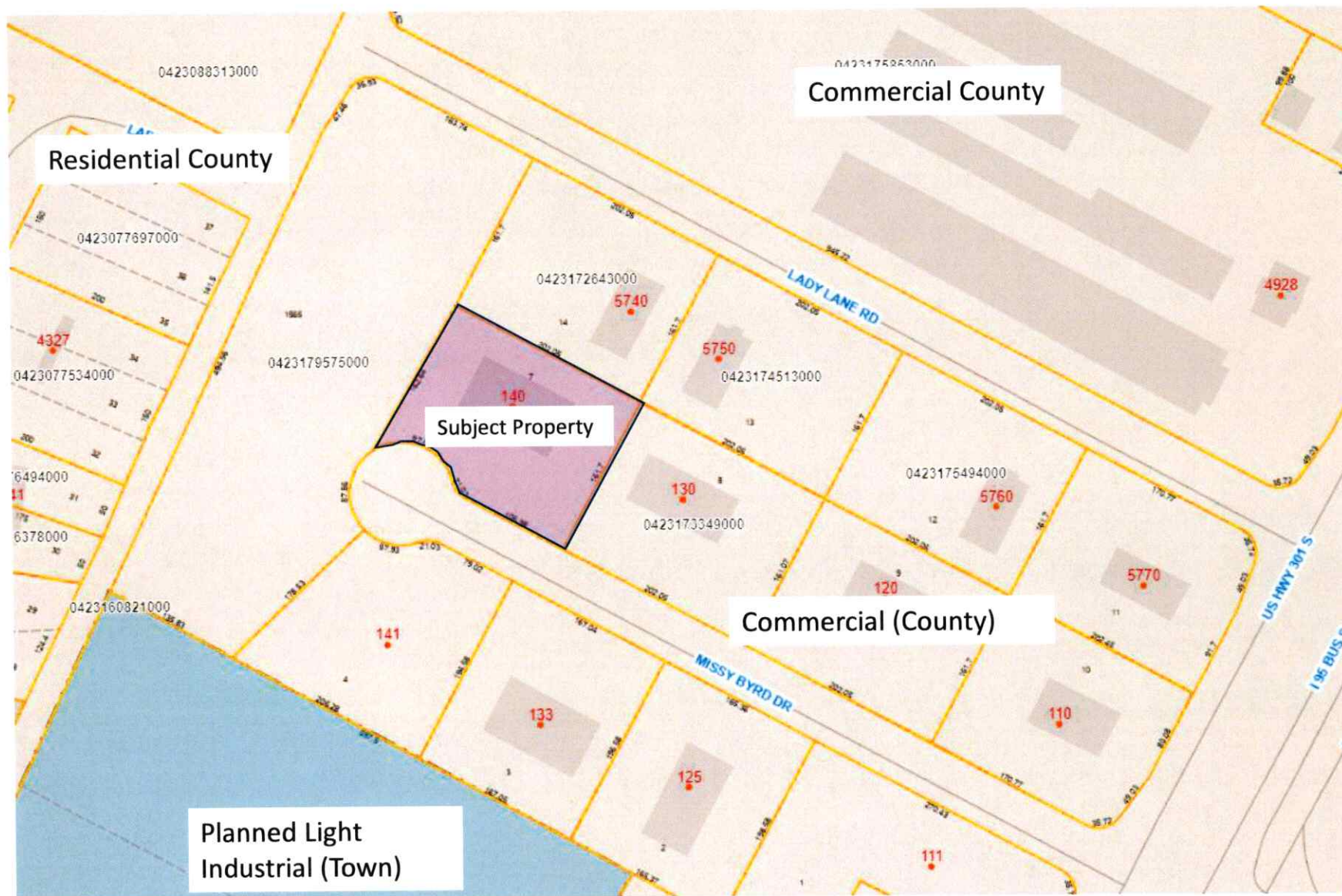
Owner Manager

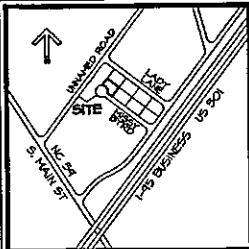
Print or Type Name of Company Official

Print or Type Title of Company Official

This Annual Report has been filed electronically.

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525





VICINITY MAP
NO SCALE

NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION
DIVISION OF HIGHWAYS
APPROVED FOR RECORDATION

BY Lee R. Hise, DB-1

DATE DECEMBER 18, 2024

LEGEND

- EIP EXISTING IRON PIPE (PROPERTY CORNER)
- ERB EXISTING REBAR (PROPERTY CORNER)
- ECM EXISTING CONCRETE MONUMENT (PROPERTY CORNER)
- CP COMPUTED POINT
- R/W RIGHT-OF-WAY

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4. REID: 0423171489000
5. CURRENT ZONING: C(P), COUNTY
6. REQUIRED SETBACKS:
FRONT 50'; REAR 30'; 30' SIDES

THE UNDERSIGNED HERE ACKNOWLEDGES THAT THE LAND
SHOWN ON THIS PLAN IS WITHIN THE SUBDIVISION REGULATION
JURISDICTION OF THE CITY OF FAYETTEVILLE AND THAT THIS
PLAN AND ALLOTMENT IS MY FREE ACT AND DEED.

Joseph M. Callis
JOSEPH M. CALLIS 140 MISSY BYRD LANE, LLC

NORTH CAROLINA
CUMBERLAND COUNTY

I, Deanna W. Ham, A NOTARY PUBLIC FOR SAID COUNTY
AND STATE AFORESAID CERTIFY THAT Joseph M. Callis
PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED
THE EXECUTION OF THE FOREGOING INSTRUMENT.
WITNESS MY HAND AND OFFICIAL STAMP THIS 17 DAY OF
December A.D., 2024.

Deanna W. Ham
NOTARY PUBLIC

MY COMMISSION EXPIRES: 09/10/2028

DEANNA W. HAM
NOTARY PUBLIC
Cumberland County
North Carolina

"NO APPROVAL REQUIRED"

Signed: [Signature]
Date: 12/18/24
George M. Rose
Professional Land Surveyor

I, GEORGE M. ROSE CERTIFY THAT THIS PLAN WAS DRAWN UNDER
MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY
SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 11563
PAGE 7 AND PLAT BOOK 119 PAGE 108; THAT THE BOUNDARIES
NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM
INFORMATION FOUND IN DEEDS AS SHOWN; THAT THE SURVEY
IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF
EXISTING PARCELS, A COURT-ORDERED SURVEY, AN ANNEXATION
MAP, OR OTHER EXCEPTION OR EXCEPTION TO THE DEFINITION OF
SUBDIVISION; THAT THE RATIO OF PRECISION AS CALCULATED
1:10,000 +/-; THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH
G.S. 47-30 AS AMENDED,
WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL
THIS 12 DAY OF December A.D., 2024.

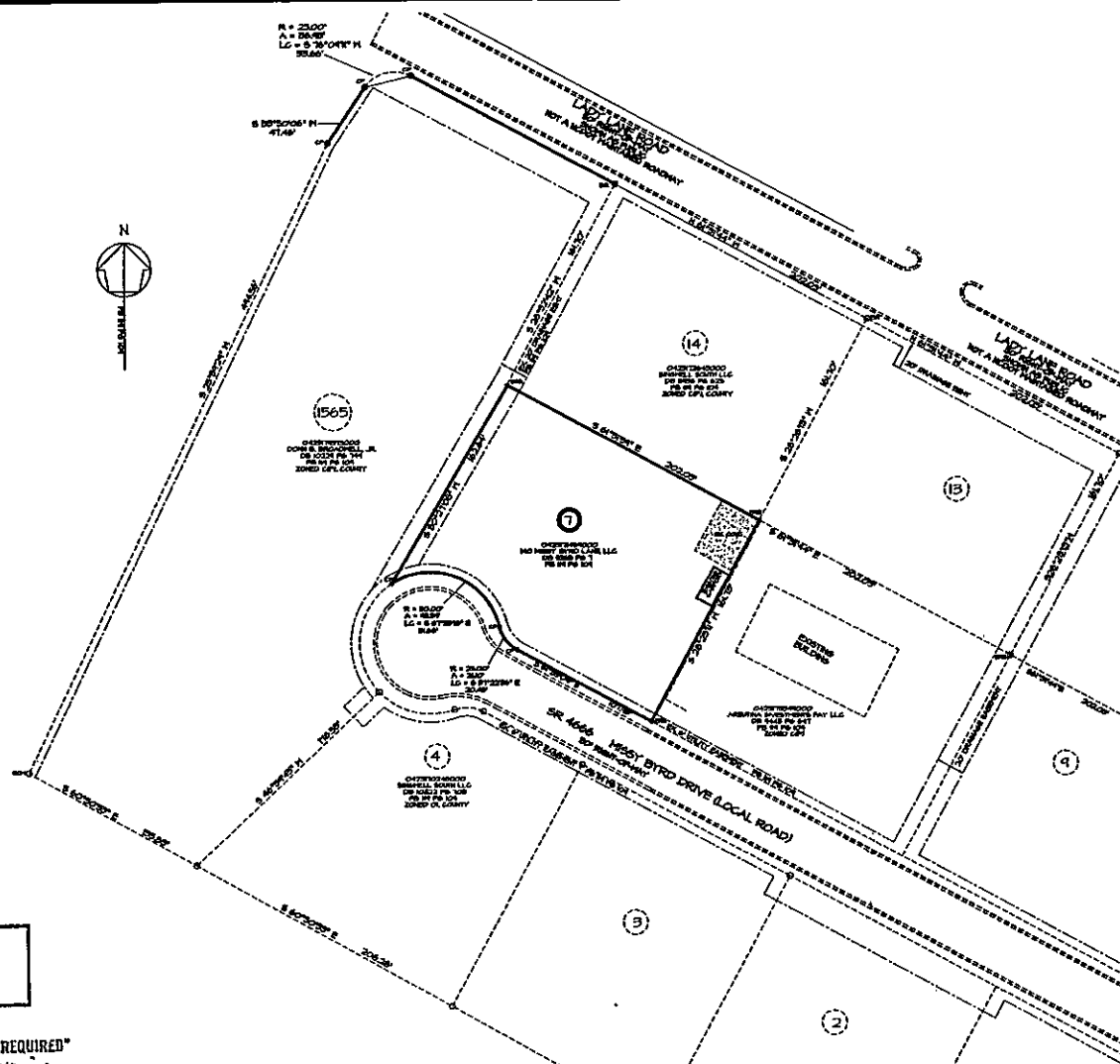


George M. Rose
PROFESSIONAL LAND SURVEYOR L-2721

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

I, Divine Greene, REVIEW OFFICER
OF CUMBERLAND COUNTY, CERTIFY THAT THE MAP
OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED
MEETS ALL STATUTORY REQUIREMENTS FOR
RECORDING.

Divine Greene
REVIEW OFFICER
DATE: 12/18/24



ANNEXATION MAP FOR THE TOWN OF HOPE MILLS
ANNEXATION FILE # A2024-010

PROPERTY OF
140 MISSY BYRD LANE, LLC

ROCKFISH CREEK TOWNSHIP
FAYETTEVILLE
SCALE 1" = 60'

CUMBERLAND COUNTY
NORTH CAROLINA
DECEMBER 2024

GEORGE M. ROSE, PE, PLS
P.O. Box 53441
Fayetteville, NC 28305

FILED Dec 23, 2024 10:14:18 am
BOOK 00152
PAGE 0051 THRU 0051
INSTRUMENT # 38696
RECORDING \$21.00
EXCISE TAX (None)

FILED
CUMBERLAND
COUNTY NC
ANDREW E. BREWSTER
REGISTER
OF DEEDS

SCALE IN FEET
0 30 60 90 120



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 4/15/2025

SUBJECT: CASE ZON-24-0031: REZONING REQUEST FROM PND PLANNED NEIGHBORHOOD DISTRICT TO A1/CZ AGRICULTURE DISTRICT CONDITIONAL ZONING OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR FOUR PARCELS COMBINING A TOTAL OF 44.95 +/- ACRES; LOCATED AT 430 CARVERS FALLS RD.; SUBMITTED BY TIMOTHY BRYANT (AGENT/APPLICANT); CITY OF FAYETTEVILLE (OWNER)

ATTACHMENTS:

Description

ZON-24-0031

Type

Backup Material

REQUEST

Rezoning PND to A1/CZ

Applicant requests a rezoning from PND Planned Neighborhood Development to A1/CZ Agricultural Conditional Zoning District for four parcels abutting the City of Fayetteville corporate limits and located southeast of the intersection at Lamar Rd. and Carvers Falls Rd., as shown in Exhibit "A". The request encompasses approximately 44.95 acres. A dormant district, the PND District converts to a R7.5 District. Except for a PWC utility substation located at the north central portion of the property, the four parcels are undeveloped land. The intent of PWC is to establish a solar panel farm after recombining the parcels into a single parcel. A solar panel farm is a permitted use under the A1 Agricultural District, but not for the PND District or the R7.5 District. (A conditional zoning site plan is provided within Exhibit "A" of the conditional zoning conditions of approval found in Exhibit "F" of this staff report.)

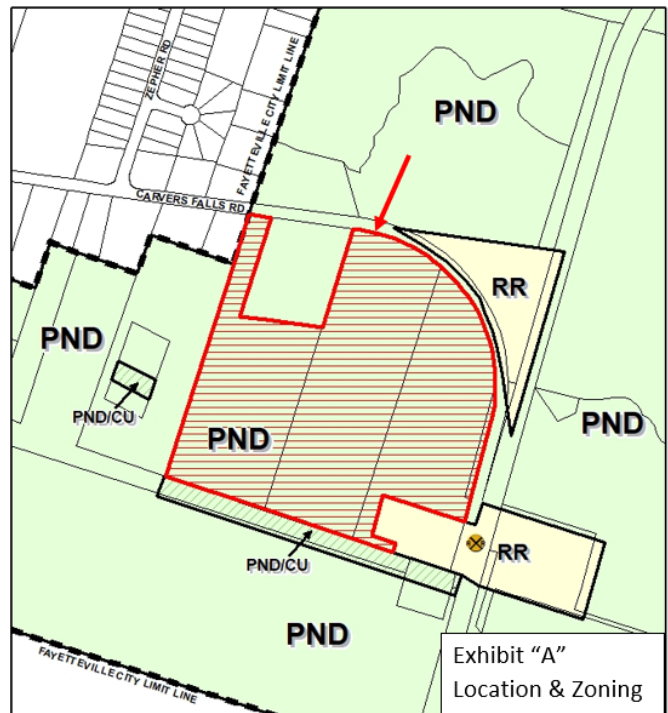
PROPERTY INFORMATION

OWNER/APPLICANT: City of Fayetteville (Owner); Timothy Bryant, CEO & David Deschamps of PWC (Applicant/Agent)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0540089431000, 0540184484000, 0540188297000, and 0540281121000.

SIZE: The parcels contain approximately 44.95 acres. Road frontage along Carvers Falls Road is 1,988 feet. The property is approximately 1,497 feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned PND Planned Neighborhood Development. A district designed for the planned development of various residential densities concurrent with neighborhood-oriented uses in a single project. PND is a dormant zoning district and development standards shall comply with those of the R7.5 Residential District.

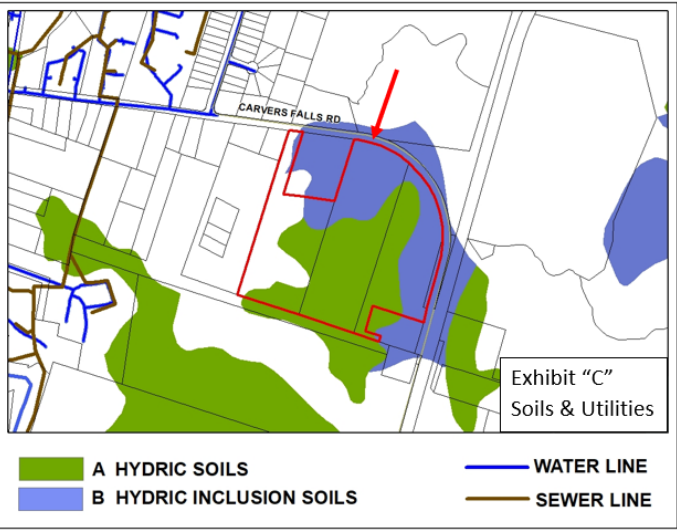


EXISTING LAND USE: The subject parcels are currently undeveloped except for an existing PWC utility substation located on the central parcel (REID: 0540184484000 and addressed at 430 Carvers Falls Rd.) Exhibit "B" shows the existing use of the subject property.

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

- **North:** Undeveloped woodlands
- **East:** Woodlands and single-family homes
- **West:** Woodlands and single-family homes
- **South:** Undeveloped land and single-family homes

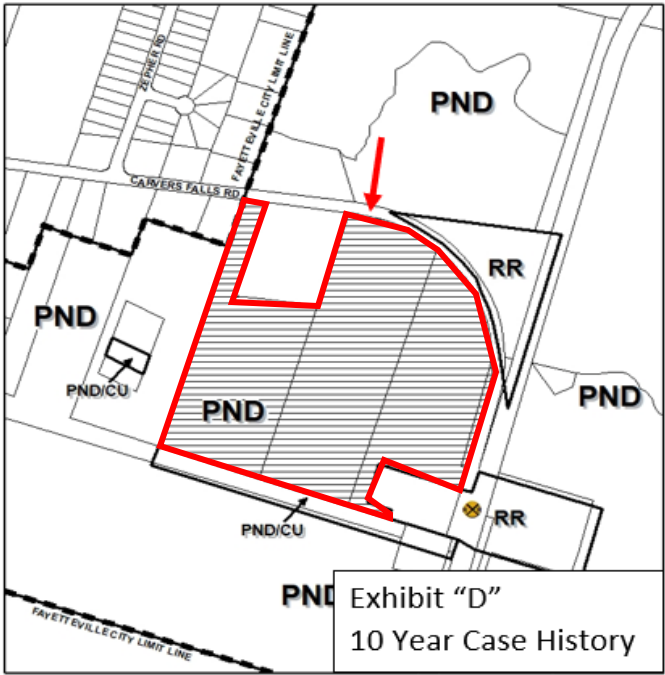
OTHER SITE CHARACTERISTICS: The site is located within the Cape Fear River Watershed. It is not within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit “C”, illustrates the presence of hydric and hydric inclusion soils on the parcels.



TEN YEAR ZONE CASE HISTORY:

Exhibit “D” denotes that there have been no rezoning cases within the past ten years near these parcels.

DEVELOPMENT REVIEW: Prior to the construction and operation of the solar farm, a final site plan application must be submitted, reviewed, and approved by Cumberland County Current Planning Division for compliance with the Subdivision and Zoning Ordinances.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	PND/R7.5 (Existing Zoning)	A1 (Proposed)
Front Yard Setback	30 feet	50 feet
Side Yard Setback	10 feet	20 feet
Rear Yard Setback	35 feet	50 feet
Lot Area	7,500 sq. ft.	2 acres
Lot Width	75'	100'

Development Potential:

Existing Zoning (PND)	Proposed Zoning (A1)
261 dwelling units (based on R7.5 Dist. standards)	22 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.

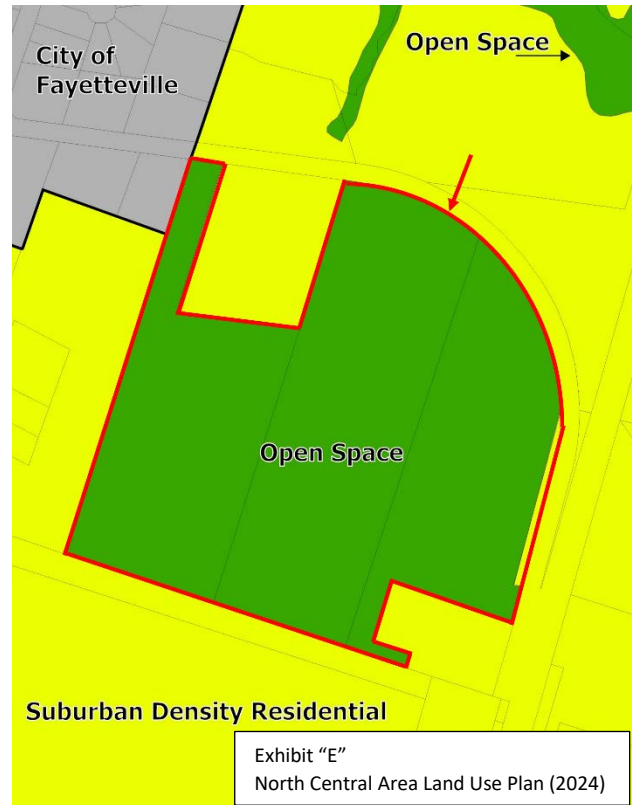
COMPREHENSIVE PLANS:

This property is located in the North Central Area Land Use Plan (2024), as shown in Exhibit "E". The future land use classification of the property is "Open Space" and "Suburban Density Residential". The associated zoning district for Open Space is CD. The associated zoning districts for Suburban Density Residential are RR, R20, R20A, R30 and R30A.

The proposed rezoning request is not consistent with the adopted land use plan.

Land Use Classification Development Goals, Notes, and Objectives:

- "In the southwest part of the plan area, provide a full range of housing types and sites with adequate infrastructure in new and revitalized neighborhoods to accommodate the present and future needs of residents" (North Central Area Land Use Plan 2024, p. 53).
- "Preserve established residential areas by preventing the encroachment of non-residential uses or require substantial vegetative or other types of buffering if unavoidable" (North Central Area Land Use Plan 2024, p. 53).
- "Provide a comprehensive open space network that protects, conserves, sustains, and enhances natural resources and environmentally sensitive areas" (North Central Area Land Use Plan 2024, p. 51).
- "Promote the preservation of existing trees, the planting of native trees, and discourage clear cutting" (North Central Area Land Use Plan 2024, p. 51).
- "Encourage techniques of development which preserve the natural contours and natural amenities of a site" (North Central Area Land Use Plan 2024, p. 51).
- Other Considerations: "Development within the study area outlined in the Carvers Creek State Park Master Plan should prioritize thoughtful site planning and anticipate potential future expansion of the park towards the east of the Sandhills section, extending towards the Cape Fear River. When designing potential developments within this area, it's essential to allocate space for walking trails and open areas in alignment with the potential expansion of the park. The most recent Carvers Creek State Park Master Plan and General Management Plan should be reviewed for any development located within their study boundaries." (North Central Area Land Use Plan 2024, p. 62)



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Sewer lines are not available near the subject property. There is a PWC water line approximately 600 feet to the west from the subject property along Carvers Falls Rd. It is the applicant's responsibility to determine if this utility provider will serve their development. Utilities for water and sewer are shown on Exhibit "C". Well and septic will likely be required if deemed necessary, and the lot size must meet the minimum area necessary to accommodate both.

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), no roadway construction improvement projects are planned near the subject property, and the proposed use -- a solar panel farm -- will have no significant impact on the Transportation Improvement Program.

SCHOOLS CAPACITY/ENROLLMENT:

School	Capacity	Enrollment
Raleigh Road Elementary	179	207
Long Hill Elementary	516	416
Pine Forest Middle	804	706
Pine Forest High	1712	1553

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

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and had no objections to the rezoning request.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: The subject site is approximately 2.7 +/- miles from Ft. Bragg and 3.5 +/- miles from Simmons Army Airfield (AAF).

Special Districts			
Fayetteville Regional Airport Overlay:	<input type="checkbox"/>	Averasboro Battlefield Corridor:	<input type="checkbox"/>
Five Mile Distance of Fort Bragg:	<input checked="" type="checkbox"/>	Eastover Commercial Core Overlay District:	<input type="checkbox"/>
Voluntary Agricultural District (VAD):	<input type="checkbox"/>	Spring Lake Main Street Overlay District:	<input type="checkbox"/>
VAD Half Mile Buffer:	<input type="checkbox"/>	Coliseum Tourism Overlay District:	<input type="checkbox"/>

RLUAC: Initial comments received from RLUAC raised concerns regarding glare generated from solar panels potentially interfering with aircraft operations associated with Simmons Airfield. PWC agreed to prepare a glare impact study. After review of this study by Ft. Bragg experts, Simmons Airfield would not receive any detrimental impacts affecting flight operations and training. A letter appears in the appendix confirming Ft. Bragg's and RLUAC's position.

CONDITIONS OF APPROVAL: The proposed conditions of approval and conditional zoning site plan are attached to this report, which is found in Exhibit "F".

STAFF RECOMMENDATION

In Case ZON-24-0031, Planning and Inspections staff **recommends approval** of the rezoning request from PND Planned Neighborhood Development District to A1/CZ Agricultural District and find that:

1. Approval is an amendment to the adopted, current North Central Area Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request.
2. The proposed use is for a solar panel farm that will serve a public utility need.
3. The proposed use will generate minimal impacts to local roads and to nearby residential areas.

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:

Conditions of Approval and Site Plan

Notification Mailing List

City of Fayetteville City Council Resolution

RLUAC Comment Letter

Application

Email confirmation on acceptance of conditional zoning - conditions of approval.

Exhibit "F" Conditions of Approval

General Address: 430 Carvers Falls Rd.	Acres: 44.95 +/-
REID: 0540089431000, 0540184484000, 0540188297000, and 0540281121000	Approval Date: TBD
Effective Date: TBD	Issued to: PWC on behalf of City of Fayetteville.

PND Planned Neighborhood District to A1/CZ Conditional Zoning District Case ZON-24-0031 Ordinance Related Conditions for Solar Farm Use of Property

Applicability: Applicant requests a rezoning from PND Planned Neighborhood District to A1/CZ Agriculture Conditional Zoning District for 44.95 +/- acres; located at 430 Carvers Falls Rd; submitted by Timothy Bryant, CEO of PWC(Agent) on behalf of City of Fayetteville (owner).

A. **Permitted and Prohibited Uses.**

1. Permitted Uses. Use and development of a solar panel farm use shall occur consistent with the Conditional Zoning Site Plan appearing in Exhibit "A" of the Conditions of Approval, the Conditions set forth herein, and the County Zoning and Subdivision Ordinances. Any change of use determined to be a substantial change by the Planning Director shall be processed as an amendment to the Conditional Zoning.
2. As the property is assigned an A1 Agricultural Zoning District, the property owner is allowed to use domestic farm animals to maintain grass and weeds inside appropriately fenced areas of the subject site.

B. **Development Standards.**

1. The Conditional Zoning Site Plan is not the Final Site Plan. A final Site Plan must be submitted to and approved by the Current Planning Division prior to any development activity other than authorized commercial silviculture tree removal (i.e., tree harvesting). The Final Site Plan shall be consistent with the intent of the Conditional Zoning Site Plan.
2. Development shall be consistent with the standards of section 924.1 Solar Farms within the Cumberland County Zoning Ordinance.
3. Where any conflicts occur between the Conditions of Approval herein, including the Conditional Zoning Site Plan, with the County Zoning and Subdivision Ordinances, the Conditions of Approval and Conditional Zoning Site Plan shall supersede.
4. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any should be within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer. In addition, applicant is responsible to obtain all other federal, state, and local permits required for the proposed use of the property.

Note: This conditional zoning approval is not approval of the permitting of any structures or site construction activity for this site.

5. The developer must keep an updated copy of all applicable state permits and associated conditions on record with the County Planning & Inspections Department.

6. This conditional zoning approval is not approval of any freestanding signs. If a freestanding sign is desired as stated in the written application, a site plan is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is not approval of the size, shape, or location of any signs.)
7. The owner/developer is responsible and liable for maintenance and upkeep of this site, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers/berms and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing.
8. Noise levels shall not exceed 60 dB(A) between the hours of 10:00 pm and 8:00 am. In any event, the noise level, regardless of the time of day, shall not become a nuisance to neighboring properties and strict compliance with the County's Noise Ordinance is required.
9. The conditional zoning and conditional zoning site plan approval is only for a Solar Farm as proposed and depicted on the conditional zoning site plan. Any expansion of the proposed use deemed a substantial modification, change of use, or an additional use being proposed consistent with the permitted uses must have a modification to the conditional zoning applied for and approved by the Board of County Commissioners.

C. Infrastructure and Utilities:

1. An outdoor lighting plan shall be submitted with the final site plan application. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance:

The following standards are applicable to all properties:

- i. All lights shall be shielded in such a way as to direct all light toward the Earth's surface and away from reflective surfaces.
 - ii. Light fixtures or lamps shall be shielded/shaded in such a manner as to direct incident rays away from all adjacent property, and any light on a pole, stand, or mounted on a building must have a shield, and adjustable reflector and non-protruding diffuser.
 - iii. Any facilities, which may require floodlighting, may not arrange the light in such a way that it will shine toward roadways, on adjacent residential property or residentially zoned property, or into the night sky.
 - iv. Any interior lighted signs may not be lit at night when any face of the sign is removed or damaged in such a way that the light may distract pedestrians or drivers or become a nuisance to homeowners.
 - v. Any light fixture must be placed in such a manner that no light-emitting surface is visible from any residential area or public/private roadway, walkway, trail or other public way when viewed at the ground level.
 - vi. Outdoor lighting and support stanchions shall be directed to the interior of the property to the greatest practical extent, and no lighting stanchions or features shall be placed within landscape buffer areas bordering Solar Farm on Carvers Creek Rd.
 - vii. Glare from lighting shall be reduced and minimized.
2. For new development, all utilities, except for 25k or greater electrical lines, must be located underground.

3. All proposed perimeter lighting will consist of shielded fixtures designed to prevent light spillover and upward glare, ensuring compliance with dark sky principles and minimizing interference with night training operations on the adjacent Installation(s).
4. Any outdoor lighting shall be designed to avoid inference or glare levels that may negatively affect flight operations associated with Simmons Army Airfield.

D. Fire Marshal and Fire Inspections:

Developer must ensure fire protection water supply requirements are met in accordance with Section 507 of the 2018 NC Fire Code. Developer is required to provide advanced coordination and contact with the County Fire Marshal Office prior to final site plan submittal as well as during site construction. Submit plans for any permits required in Section 105 of the 2018 Fire Code. All fire department access requirements shall be met in accordance with Section 503 of the 2018 NC Fire Code and demonstrated at the time of final site plan and permit applications, as applicable. Construction plans may be required for review by the Fire Marshal, and the developer is responsible for contacting prior to any development activity, including clearing and grading.

E. Stormwater and Drainage:

1. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environmental Quality (NCDEQ) sedimentation and erosion control plan(S&E). If any retention/detention bases are required for state approval of this plan, a formal revision application must be filed with Current Planning for review and approval.
2. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post- Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environmental Quality. If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy.
3. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean of free and debris (Section 2306, D., County Subdivision Ordinance).
4. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must demonstrate on the revised plan the placement of a four-foot-high fence with a lockable gate for the security of the stormwater utility structure. The owner/developer is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.

F. Landscaping and Buffers:

1. The final site plan shall include a detailed landscaping plan addressing the regulatory requirements set forth in section 1102 of the County Zoning Code, including landscaping and tree plantings within the streetscape, yard space, and parking areas. Further, the landscaping and landscape buffer areas on the submitted with the final site plan shall be consistent with the Conditional Zoning site plan.
2. At the time of a final site plan application, the landscape plan shall provide additional vegetative buffering or screening along the perimeter of the parcel to obscure the view of the facility from Carvers Falls Road and adjacent parcels.

3. Landscape Perimeter Buffer. Existing trees and understory trees within the perimeter buffer appearing on the Conditional Zoning Site Plan shall be preserved to the greatest extent practical. Where trees and understory trees and shrubs are removed within the perimeter buffer area, additional trees and shrubs shall be planted to maintain a visual buffer from nearby residential homes and roadways.
4. Property owner shall be responsible maintaining all buffer areas, and shall replace any dead or severely declining trees and shrubs therein to maintain the visual buffer.
5. A six-foot high opaque fence shall be installed within the perimeter buffer area as illustrated on the Conditional Zoning Site Plan. Property owner shall maintain the fence to retain its screening affect and shall replace the fence if it becomes dilapidated or destroyed.

G. Roads/Access/Parking:

1. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
2. All NCDOT permits must be obtained and submitted to the Code Enforcement Division prior to any issuance of a building permit or commencement of any development activity or change in property usage. Per NCDOT comments for this rezoning, failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense.
3. Turn lanes and road improvements may be required by the NC Department of Transportation (NCDOT) during review of the driveway permit or construction plans. Any NCDOT required improvements shall be completed prior to issuance of a certificate of occupancy unless otherwise indicated by NCDOT.
4. Access ways or drives within the premises shall be maintained in a dust-free condition through surfacing or such other treatment as may be necessary. Such driveways shall also be maintained to assure safe and expeditious passage of emergency response vehicles.

H. Development Review Process:

1. A final site plan, to include a lighting plan for any proposed outdoor lighting as well as a landscaping plan, shall be provided to Planning staff with a written transmittal with a brief narrative of the plans provided. These plans shall be consistent with the approved conditional zoning site plan and the conditions of the approved conditional zoning.
2. In the event the requirements or conditions from a State or Federal Agency or utility provider creates an inconsistency with the conditional zoning site plan in any manner, a revised conditional site plan must be submitted to the Current Planning Division for review. Any change determined by the County to represent a substantial change to the conditional zoning site plan, Board of County Commission approval may be required, as shall be determined by the Planning Director.
3. Developer must coordinate with the Current Planning Division prior to making any changes to the conditional zoning site plan. Any changes to the conditional zoning site plan must be reviewed by the Current Planning Division to determine if any change is considered an insubstantial or substantial modification by the Planning Director.

I. Other Conditions:

1. This conditional zoning approval is not to be construed as all-encompassing of the applicable rules, regulations, etc., which must be complied with for any development. Other regulations, such as building, environmental health, and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.
2. Any substantial modification made to this approved conditional zoning site plan or conditions of approval, other than those set forth in the above conditions, must be approved by the Board of Commissioners as set forth by Section 506 of the Zoning Ordinance.
3. No clearing or grading shall occur until authorized by the Code Enforcement Manager. Authorized silviculture activities are exempt from this requirement.

J. Time Limitation

At the end of two years from the date of approval of this Conditional Zoning by the Board of County Commissioners, the Planning Board may examine progress made to determine if active efforts are proceeding. If the Planning Board determines that active efforts to develop are not proceeding, it may institute proceedings to rezone the property to its previous zoning classification.

Property Owner/Agent Acceptance of Conditions

(Print Name)

(Signature)

Date

Issued by:

David B. Moon, AICP
Deputy Director of Planning & Inspections

Date

[illegible]

ATTACHMENT – MAILING LIST

OATES, LARRY MICHAEL
6201 RICHMANOR TER
UPPER MARLBORO, MD 20772

CITY OF FAYETTEVILLE
433 HAY ST
FAYETTEVILLE, NC 28301

CITY OF FAYETTEVILLE
433 HAY ST
FAYETTEVILLE, NC 28301

THE CITY OF FAYETTEVILLE
PO BOX 1089
FAYETTEVILLE, NC 28302

THE CITY OF FAYETTEVILLE
PO BOX 1089
FAYETTEVILLE, NC 28302

CCF REAL ESTATE FOUNDATION
PO BOX 2345
FAYETTEVILLE, NC 28302

CCF REAL ESTATE FOUNDATION
PO BOX 2345
FAYETTEVILLE, NC 28302

FOUR CS PROPERTIES LLC
6310 RAMSEY ST
FAYETTEVILLE, NC 28311

WOOD, DAVID R;WOOD, JESSIKA J
L
343 CARVERS FALLS ROAD
FAYETTEVILLE, NC 28311

VICK, WILLIAM W
653 CARVERS FALLS RD
FAYETTEVILLE, NC 28311

FOUR CS PROPERTIES LLC
6310 RAMSEY ST
FAYETTEVILLE, NC 28311

BROWN, VALERIE
899 DEPAUL DR
FAYETTEVILLE, NC 28311

CARVERS FALLS LLC
533 CARVER FALLS RD
FAYETTEVILLE, NC 28311

GATES, GREGORY G
640 CARVERS FALLS RD
FAYETTEVILLE, NC 28311

FOUR C"S PROPERTIES LLC
8441 TISSINGTON ST
FAYETTEVILLE, NC 28311

GREENE, STUART;GREENE,
KAREN
7023 LAMAR RD
FAYETTEVILLE, NC 28311

JOHNSON, WILLIE NORMAN JR
630 CARVER FALLS RD
FAYETTEVILLE, NC 28311

GRAHAM, ROBERT; GRAHAM,
VICTORIA
7061 LAMAR RD
FAYETTEVILLE, NC 28311

SCHMID, MICHAEL GEORGE
214 EUNICE DRIVE
FAYETTEVILLE, NC 28311

FOUR CS PROPERTIES LLC
6310 RAMSEY ST
FAYETTEVILLE, NC 28311

FOUR CS PROPERTIES LLC
6310 RAMSEY ST
FAYETTEVILLE, NC 28311

ADAMS, WILLIAM R
7047 LAMAR RD
FAYETTEVILLE, NC 28311

FOUR CS PROPERTIES LLC
6310 RAMSEY ST
FAYETTEVILLE, NC 28311

FOUR CS PROPERTIES LLC
6310 RAMSEY ST
FAYETTEVILLE, NC 28311

CARVERS FALLS LLC
533 CARVERS FALLS RD
FAYETTEVILLE, NC 28311

FERRELL, THOMAS A;FERRELL,
LAURA
651 CARVERS FALLS RD
FAYETTEVILLE, NC 28311

GOINS, BRIAN K;GOINS, RAMONA
R
6928 CLARENCE DR
FAYETTEVILLE, NC 28311

FOUR CS PROPERTIES LLC
6310 RAMSEY ST
FAYETTEVILLE, NC 28311

FOUR C"S PROPERTIES LLC
8441 TISSINGTON ST
FAYETTEVILLE, NC 28311

FOUR CS PROPERTIES LLC
6310 RAMSEY ST
FAYETTEVILLE, NC 28311

BADGETT, GEORGE; BADGETT,
ELIZABETH
543 CARVERS FALLS RD
FAYETTEVILLE, NC 28311

FOUR CS PROPERTIES LLC
6310 RAMSEY ST
FAYETTEVILLE, NC 28311

CARVERS FALLS LLC
533 CARVER FALLS RD
FAYETTEVILLE, NC 28311

BOOYER, JONATHAN;BOOYER, R
839 WHISPERING PINES RD
FAYETTEVILLE, NC 28311

MILLER, RAYMOND D
406 CARVERS FALLS RD
FAYETTEVILLE, NC 28311

FOUR CS PROPERTIES LLC
6310 RAMSEY ST
FAYETTEVILLE, NC 28311

FOUR CS PROPERTIES LLC
6310 RAMSEY ST
FAYETTEVILLE, NC 28311

FOUR CS PROPERTIES LLC
6310 RAMSEY ST
FAYETTEVILLE, NC 28311

FERRELL, JACKSON L
649 CARVER FALLS RD
FAYETTEVILLE, NC 28311

HATHAWAY, HOLLY C.
232 EASTFIELD AVE
STEDMAN, NC 28391

HATHAWAY, HOLLY C.
232 EASTFIELD AVE
STEDMAN, NC 28391

MCKINNIE, CALEB;POWELL, GLORIA BELINDA
130 NADINA CT
FAYETTEVILLE NC 28311

ELLIOTT-PERKINS, LISA;ELLIOTT, MARY
A
130 NANDINA CT
FAYETTEVILLE NC 28311

ATTACHMENT: CITY OF FAYETTEVILLE CITY COUNCIL RESOLUTION

Resolution No. R2024-038

**RESOLUTION AFFIRMING THE AUTHORITY OF
FAYETTEVILLE PUBLIC WORKS COMMISSION
TO SEEK REZONING OF CERTAIN REAL PROPERTY**

WHEREAS, certain real properties owned by the City of Fayetteville, which are managed by Fayetteville Public Works Commission ("PWC"), located at Carvers Falls Road, Fayetteville, North Carolina, and identified by PIN Nos. 0540089431, 0540184484, 0540188297 and 0540281121 (collectively, the "Property"), are to be developed by PWC as a utility-scale ground-mounted solar photovoltaic generating facility; and

WHEREAS, in furtherance of the development of the Property, PWC seeks to have the Property rezoned by the County of Cumberland; and


WHEREAS, the Commissioners of PWC, at a public meeting held on September 11, 2024, approved granting its CEO/General Manager the authority to execute and deliver, at his or her discretion, such applications for rezoning, and referred the matter to the City Council to request that it affirm the authority of PWC, acting by and through its CEO/General Manager, to execute and deliver an application for rezoning of the Property pursuant to Sections 6A.7 and 6A.9 of the Charter; and

WHEREAS, the City of Fayetteville finds that affirming the authority of PWC, acting by and through its CEO/General Manager, to execute and deliver an application for rezoning of the Property is reasonable and appropriate and should be affirmed.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Fayetteville that it affirms the authority of PWC, acting by and through its CEO/General Manager, to execute an application for rezoning of the Property located at Carvers Falls Road, Fayetteville, North Carolina owned by the City of Fayetteville and managed by Fayetteville Public Works Commission.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this the 28 day of October, 2024, such meeting having been held in compliance with the Open Meetings Act, and at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE


Mitch Colvin, Mayor

ATTEST:


Pamela McGill
City Clerk



ATTACHMENT: RLUAC LETTER



CUMBERLAND COUNTY COURTESY REVIEW

Project: ZON 24-0031 (PWC Solar Farm)

Location: Carver Falls Road

PIN#s: 0540-08-9431, 0540-18-4484, 0540-18-8297, and 0540-28-1121

April 2, 2025

This letter is a supplement to the initial review comments provided by RLUAC in the letter for this case dated February 26, 2025. Following the initial review, RLUAC worked with Cumberland County, Fort Bragg, and PWC's consulting engineers to further analyze the potential glare impacts of the proposed solar farm on aviation operations at Simmons Army Airfield. RLUAC appreciates the diligent and expeditious response to Fort Bragg's request for additional analysis.

Through the analysis that was provided, Fort Bragg has determined that the proposed solar farm will not cause any safety hazards to aviation operations at Simmons Army Airfield. Therefore, the concerns expressed in the initial review letter have been fully addressed, and RLUAC has no opposition to the proposed rezoning.

While RLUAC's findings and recommendations are non-binding on Cumberland County, their consideration and incorporation into your review of this case will help to improve compatibility outcomes for our region as a whole by protecting Fort Bragg's military training and operational missions.

Thank you for allowing RLUAC to review this case.

Kia Anthony, Chairman
Vagn K. Hansen II, AICP, Executive Director

ATTACHMENT: APPLICATION



County of Cumberland

Planning & Inspections Department

APPLICATION FOR CONDITIONAL ZONING DISTRICT REZONING REQUEST CUMBERLAND COUNTY ZONING ORDINANCE

Upon receipt of this application (petition), the Planning and Inspections Staff will present to the Planning Board the application at a hearing. 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 Planning Board will make a recommendation to the Cumberland County 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 four weeks following the Planning 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 "Cumberland County" in the amount of \$ 150.00 (See attached Fee Schedule)

Part of the fee has been paid during ZON-24-0031 Rezoning Application. The \$150 will be applied to the difference between normal rezoning and conditional rezoning per Cumberland County Department of Planning & Inspections.

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 and Inspections 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)678-7603 or (910) 678-7602. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

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

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

1. Applicant/Agent Fayetteville Public Works Commission
2. Address: 955 Old Wilmington Road Zip Code 28301
3. Telephone: (Home) (910) 263-1453 (Work) _____
4. Location of Property: 430 Carvers Falls Road
0540-08-9431, 0540-18-4484,
5. Parcel Identification Number (PIN #) of subject property: 0540-18-8297, 0540-28-1121
(also known as Tax ID Number or Property Tax ID)
6. Acreage: $12.46+16.12+15.95+0.42 = 44.95$ Frontage: 1,655 lf Depth: 1,500 lf
7. Water Provider: N/A Septage Provider: N/A
8. Deed Book DB 0132, DB 8870, DB 11835, Page(s) PG 0175, PG 0007, PG 0272, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Vacant (Wooded)
10. Proposed use(s) of the property: Solar Farm

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 X No _____
The property across the street is part of a property being rezoned
REID: 0540281121000
12. Has a violation been issued on this property? Yes _____ No X
13. It is requested that the foregoing property be rezoned FROM: PND (R.7.5)
TO: (Select one)

X Conditional Zoning District, with an underlying zoning district of A1
(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.)

Solar farm

- 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.

Utility: 44.95 Acres

2. DIMENSIONAL REQUIREMENTS:

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

A1 Agricultural District

Density: 2 acres

Width: 100 ft

Setbacks: Front Yard (50 ft), Side Yard (20 ft), Rear Yard (50 ft)

- B. Off-street parking and loading, Sec.1202 & 1203: List the number of spaces, type of surfacing material and any other pertinent information.

There is no proposed off-street parking or off-street loading proposed for this project.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

The project will include signs affixed to the two entrance gates showing site name, site address, and contact information. These signs are not visible from the public or private street and are allowed per Article XIII Section 1303.F Signs Exempt from Regulations.

4. LANDSCAPE AND BUFFER REQUIREMENTS:

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

Streetscape buffer: Two staggered rows of large shrubs (Nellie R. Stevens Holly and/or American Holly Shrub) placed at 16 linear feet for a total of 182 large shrubs. These are sample species and are subject to change.

- B. Indicate the type of buffering and approximate location, width and setback from the property lines. (Sec. 1102G). **NOTE: All required buffers must be included on the site plan.**

Perimeter Screening Buffer: One large shade tree every 50 linear foot and two staggered shrubs for every 10 linear foot of buffer located between the adjacent property line and a solid non-vegetated fence. Buffer width is approximately 20' wide.

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.

All proposed lighting shall be shielded in a way as to direct all light toward the earth's surface and away from reflective surfaces. Any noise generated on site will only be generated during construction and will adhere to a typical work day between the hours of 8 AM to 5 PM during a typical work week from Monday to Friday. Noise generated once construction is completed will not become a nuisance to neighboring properties and will adhere to Cumberland county's noise ordinance.

6. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 1402. If the proposed uses involve development subject to the County Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the Subdivision Ordinance, the site plan must be of sufficient detail to allow the Planning and Inspections Staff, Planning Board and County 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 and Inspections 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 and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Timothy Bryant

NAME OF OWNER(S) (PRINT OR TYPE)

955 Old Wilmington Road

ADDRESS OF OWNER(S)

E-MAIL

HOME TELEPHONE

WORK TELEPHONE

SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

Fayetteville Public Works Commission

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

955 Old Wilmington Road

ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE

(910) 263-1453

WORK TELEPHONE

david.deschamps@faypwc.com

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."

**CUMBERLAND COUNTY ZONING ORDINANCE
FEE SCHEDULE**

REQUESTED ZONING DISTRICTS ¹	LESS THAN 5 ACRES	5 TO 50 ACRES	50 TO 100 ACRES	100+ ACRES
CONDITIONAL ZONING DISTRICTS ² RESIDENTIAL DD/CZ	\$500	\$500	\$500	\$500
CONDITIONAL ZONING DISTRICTS ² NONRESIDENTIAL PND/CZ MXD/CZ	\$700	\$800	\$800	\$800

- ¹ If more than one zoning district is requested in the same application, the highest fee for the district requested will apply.
- ² If a general rezoning is requested and based on recommendations of the Planning Board or County Commissioners, the applicant desires to submit a Conditional Zoning District application; the original application fee will be credited towards the Conditional Zoning application fee.

From: David Deschamps <david.deschamps@faypwc.com>
Sent: Tuesday, April 8, 2025 9:55 AM
To: David Moon
Cc: Vishva Rathod
Subject: RE: ZON-24-0031 Carver Fall Solar Panel Farm Conditional Zoning -- Final Draft of Conditions of Approval

CAUTION: This email originated from outside of the County. Do not open attachments, click on links, or reply unless you trust the sender or are expecting it.

David,

I agree with Exhibit F.

Thanks
David

David Deschamps PE MPA
Fayetteville PWC
david.deschamps@faypwc.com
Licensed Electrical Contractor in North Carolina
MPA – Master in Public Administration



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 4/15/2025

SUBJECT: CASE ZON-25-0006: REZONING REQUEST FROM RR RURAL RESIDENTIAL TO M(P)/CZ PLANNED INDUSTRIAL DISTRICT CONDITIONAL ZONING OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR A 30.24 +/- ACRE PARCEL; LOCATED AT 2524 LUCAS RD; SUBMITTED BY ALEX AND SHAYLA EDWARDS (OWNERS AND APPLICANT).

ATTACHMENTS:

Description

ZON-25-0006

Type

Backup Material



PLANNING & INSPECTIONS

PLANNING STAFF REPORT
REZONING CASE # ZON-25-0006
 Planning Board Meeting: April 15, 2025

Location: 2524 Lucas Rd.
Jurisdiction: County-Unincorporated

REQUEST

Rezoning RR to M(P)/CZ

Applicant requests a rezoning from RR Residential District to M(P)/CZ Planned Industrial Conditional Zoning District for a 30.24 +/- acre parcel located at the western end of Lucas Road, as shown in Exhibit "A". This property is surrounded on three sides by the Fort Bragg Military Reservation. The intent of the property owner is to have a commercial parking lot for tractor trailers and other large commercial vehicle storage. As shown on the conditional zoning site plan, 90 commercial large vehicle parking spaces are proposed, each with a dimension of 75'x14'. The conditional zoning site plan also shows an office and maintenance building with 3,500 square feet and nine standard parking spaces for employees or customers. Connection to N. Bragg Blvd will occur via Lucas Rd. (A conditional zoning site plan is provided as Exhibit "A" to the CZ Conditions of Approval, which is found in Exhibit "F" (attached)).

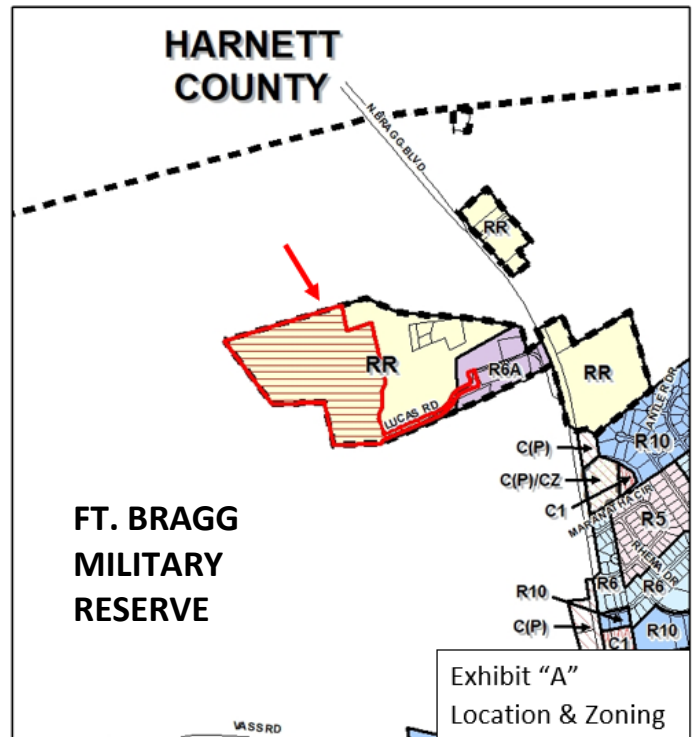
PROPERTY INFORMATION

OWNER/APPLICANT: Alex and Shayla Edwards (Owner).

ADDRESS/LOCATION: Located at 2524 Lucas Rd. Refer to Exhibit "A", Location and Zoning Map. REID numbers: 0503002190000.

SIZE: The parcel contains approximately 30.24 +/- acres. Road frontage along Lucas Rd is 57 +/- feet. The property is approximately 1,240 +/- feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned RR Rural Residential district. This district is for traditional rural use with lots of 20,000 square feet or above. The principal use of the land is for suburban density residential, including manufactured housing units, and agricultural purposes. These districts are intended to ensure that residential development not having access to public water supplies and dependent upon septic tanks for sewage disposal will occur at a sufficiently low density to provide for a healthful environment.

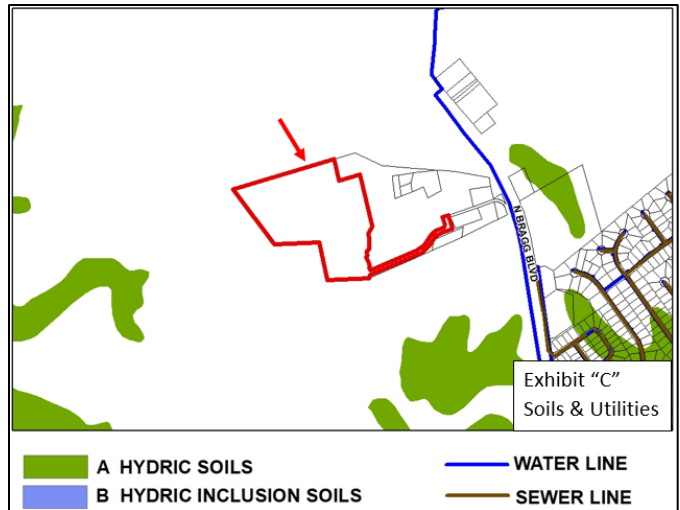
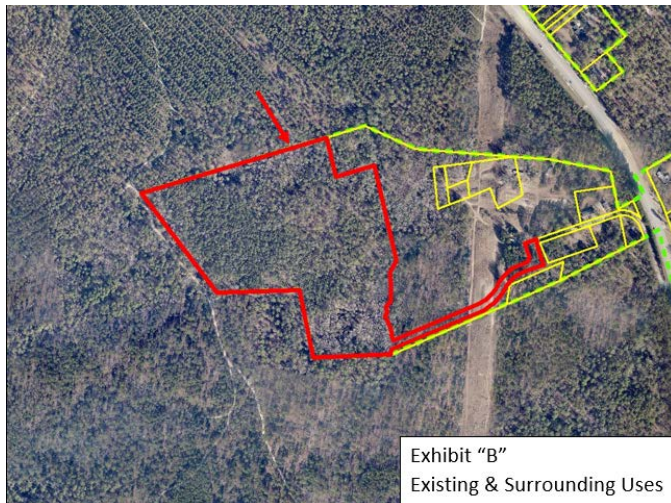


EXISTING LAND USE: The subject parcel is currently undeveloped. A Duke Energy transmission line utility easement crosses through the driveway connecting to Lucas Rd. No comments or concerns have been provided by Duke Energy regarding the utility easement.

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

- **North:** Wooded lands and Ft. Bragg property.
- **East:** Undeveloped land, Duke Energy utility easement, and single-family residential.
- **West:** Wooded lands and Ft. Bragg property.
- **South:** Wooded lands and Ft. Bragg property.

OTHER SITE CHARACTERISTICS: The site is not located in a Watershed Protection Area nor within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates that hydric and hydric inclusion soils are not located on the subject property.



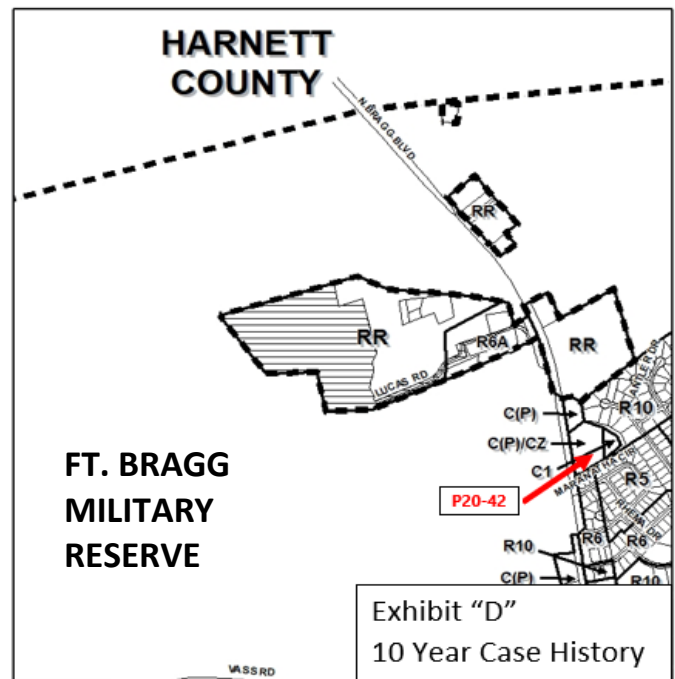
TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes the following rezoning case history within the most recent 10-year period.

- **P20-42:** C1(P) & R10 to C(P)/CZ; approved

DEVELOPMENT REVIEW:

Site plan review and approval will be required via the Current Planning Division prior to commencement of any site construction activity. The final site plan must be designed pursuant to the conditional zoning site plan and conditional zoning conditions of approval.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	RR (Existing)	M(P)/CZ (Proposed)
Front Yard Setback	30 feet	100 feet
Side Yard Setback	15 feet	50 feet
Rear Yard Setback	35 feet	50 feet
Lot Area	20,000 feet	N/A
Lot Width	100'	N/A

DEVELOPMENT POTENTIAL:

Existing Zoning (RR)	Proposed Zoning (M(P)/CZ)
66 dwelling units	0 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.

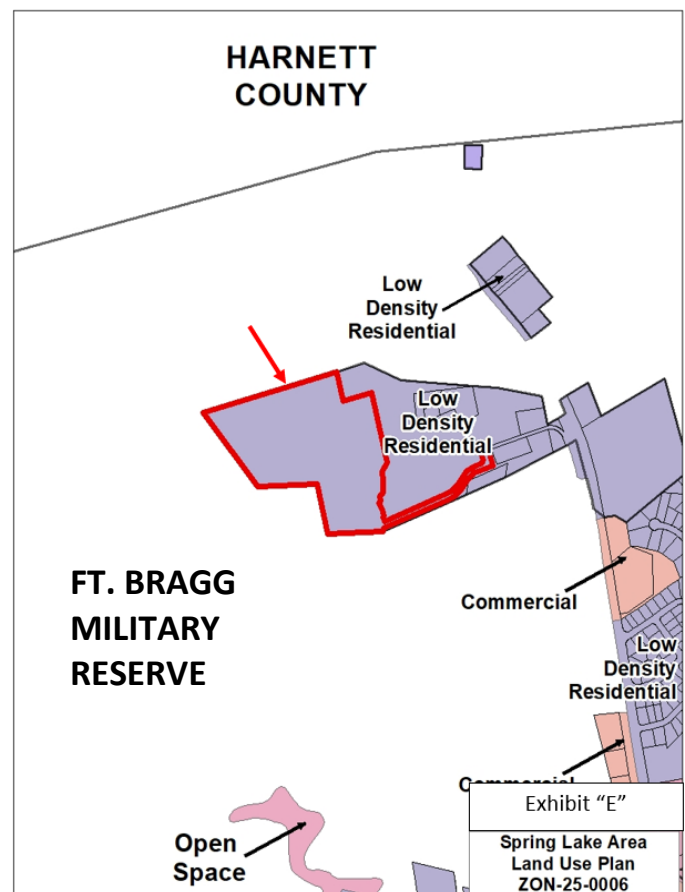
COMPREHENSIVE PLANS:

This property is located in the Spring Lake Area Land Use Plan (2022). The future land use classification of the property is "Low Density Residential". The associated zoning districts for Low Density Residential are R15, R7.5, and PND.

The proposed rezoning request is not consistent with the future land use plan.

FUTURE LAND USE CLASSIFICATION Development Goals, Notes, and Objectives:

- "...there are very large parcels in the unincorporated area which call for low density residential uses, which, due to their size, may make them suitable for larger-scale industrial and/or mixed-use developments" (Spring Lake Area Land Use Plan 2022, p. 46).
- "[Other suitable locations include large] parcels near town can incorporate new industrial activity and use buffering to preserve compatibility with nearby residential use" (Spring Lake Area Land Use Plan 2022, p. 46).
- "[Other suitable locations include large] parcels in other parts of the plan area so long as adequate utilities and buffering requirements are met" (Spring Lake Area Land Use Plan 2022, p. 46).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water lines are available near the subject property along N. Bragg Blvd, but sewer lines are not. The available utilities are shown on Exhibit "C".

TRANSPORTATION: Lucas Road is designated as a "Local Street" on NCDOT's Functional Classification system for roads. Lucas Road has a length of approximately 1,000 lineal feet from Bragg Blvd to a point where the driveway begins. Considering the length of the driveway is 1,875 lineal feet, the total distance from the truck storage business to Bragg Blvd is approximately 2,875 feet, or just over half a mile. Driveway connection permits must be obtained from NCDOT and all road improvements required by NCDOT must be obtained prior to issuance of any building permits.

SCHOOLS CAPACITY/ENROLLMENT: Cumberland County Schools have provided no comment for the capacity and enrollment for the school district as the proposed use will not generate any housing and associated student enrollment that will impact public schools.

ECONOMIC DEVELOPMENT: Fayetteville Cumberland County Economic Development Corporation has no objections for the proposed development.

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request. All development and access to the property must comply with the North Carolina Fire Codes, which must be addressed at the time a final site plan.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: The property is located within the five-mile distance buffer of Ft. Bragg.

Special Districts			
Fayetteville Regional Airport Overlay:	n/a	Averasboro Battlefield Corridor:	n/a
Five Mile Distance of Fort Bragg:	X	Eastover Commercial Core Overlay District:	n/a
Voluntary Agricultural District (VAD):	n/a	Spring Lake Main Street Overlay District:	n/a
VAD Half Mile Buffer:	n/a	Coliseum Tourism Overlay District:	n/a

n/a – not applicable

RLUAC: As the subject property abuts Ft. Bragg on three sides, comments and recommended conditions from RLUAC are attached

CONDITIONS OF APPROVAL: The proposed conditions of approval and conditional zoning site plan are attached to this report, which is found in Exhibit "F".

KEY CONDITIONS

1. Use and development of the site must occur consistent with the Conditional Zoning Conditions of Approval and the Conditional Zoning Site Plan, and limited to a maximum of 90 truck/trailer storage spaces.
2. Parking and storage of vehicles, trucks, and trailers only allowed in designated parking and storage areas.
3. Junkyards are a prohibited use. Inoperable vehicles and inoperable trailers, including portions thereof, are not allowed to be stored or parked on the property.
4. Landscaping, screening and outdoor lighting must be designed and installed to limit impacts on Ft. Bragg training operations, which activities occur on the abutting property.
5. Prior to submittal of a final site plan, developer must coordinate with Ft. Bragg RLUAC, County Fire Marshal, and NCDOT.

STAFF RECOMMENDATION

In Case ZON-25-0006, Planning and Inspections staff **recommends approval** of the rezoning request from RR Rural Residential District to M(P)/CZ Planned Industrial Conditional Zoning District and find that:

1. Approval is an amendment to the adopted, current Spring Lake Area Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request.
2. The requested district would be more appropriate for the parcel as it is more compatible than a residential district due to the proximity to Ft. Bragg.
3. The requested use and zoning district are compatible with the Land Use Plan policies.

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:
Conditions of Approval and Site Plan
Notification Mailing List
RLUAC Review Letter
Application

Exhibit "F" Conditions of Approval

General Address: 2524 Lucas Rd	Acres: 30.24 +/-
REID: 0503002190000	Approval Date: TBD
Effective Date: TBD	Issued to: Alex and Shayla Edwards

M(P) Planned Industrial/CZ Conditional Zoning District Case ZON-25-0006 Ordinance Related Conditions for Retailing or Servicing Use of Property

Applicability: Applicant requests a rezoning from RR Rural Residential District to M(P)/CZ Planned Industrial Conditional Zoning District for 30.24 +/- acres; located at 2524 Lucas Rd; submitted by Alex and Shayla Edwards (owner).

A. Permitted and Prohibited Uses.

1. Permitted Uses. Use and development of the commercial truck parking lot and storage facility and office/maintenance building shall occur consistent with the Conditional Zoning Site Plan appearing in Exhibit "A" of the Conditions of Approval, the Conditions set forth herein, and the County Zoning and Subdivision Ordinances. A maximum of ninety (90) truck/trailer parking or storage areas are allowed, as illustrated on the Conditional Zoning Site Plan. Any change of use determined to be a substantial change by the Planning Director shall be processed as an amendment to the Conditional Zoning.
2. Prohibited Uses or Activities.
 - a. Fuel storage facilities or vehicle repair facilities shall not be allowed unless approved as an amendment to this Conditional Zoning.
 - b. No vehicle parking, including trucks or other stored vehicles, shall occur along any portion of the driveway or open areas abutting the driveway or landscape buffer areas.
 - c. No inoperable vehicles or trailers, or vehicle or trailer parts, shall be stored or placed on the property. Junkyard operations are not allowed.

B. Development Standards.

1. The Conditional Zoning Site Plan is not the Final Site Plan. A final Site Plan must be submitted to and approved by the Current Planning Division prior to any development activity other than authorized commercial silviculture tree removal (i.e., tree harvesting). The Final Site Plan shall be consistent with the intent of the Conditional Zoning Site Plan.
2. Prior to submitting a final site plan application with an outdoor lighting plan to the Current Planning Division, the developer or property owner shall first coordinate with and submit plans to the NCDOT, County Fire Marshal's office, and the Fort Bragg Regional Land Use Advisory Commission (RLUAC).
3. Where any conflicts occur between the Conditions of Approval herein, including the Conditional Zoning Site Plan, with the County Zoning and Subdivision Ordinances, the Conditions of Approval and Site Plan shall supersede.
4. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any should be within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer. In addition, applicant is responsible to obtain all other federal, state, and local permits required for the proposed use of the property.

Note: This conditional zoning approval is not approval of the permitting of any structures or site construction activity for this site.

5. The developer must keep an updated copy of all applicable state permits and associated conditions on record with the County Planning & Inspections Department.
6. This conditional zoning approval is not approval of any freestanding signs. If a freestanding sign is desired as stated in the written application, a site plan is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is not approval of the size, shape, or location of any signs.)
7. The owner/developer is responsible and liable for maintenance and upkeep of this site, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers/berms and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing. The owner/developer is also responsible for the removal of all inoperable vehicles or trailers.
8. Noise levels shall not exceed 60 dB(A) between the hours of 10:00 pm and 8:00 am. In any event, the noise level, regardless of the time of day, shall not become a nuisance to neighboring properties and strict compliance with the County's Noise Ordinance is required.
9. The conditional zoning and conditional zoning site plan approval is only for a commercial large vehicle parking lot, standard vehicle parking, and an office/maintenance building as proposed and depicted on the conditional zoning site plan. Any expansion of the proposed use deemed a substantial modification, change of use, or an additional use being proposed consistent with the permitted uses must have a modification to the conditional zoning applied for and approved by the Board of County Commissioners.

C. Infrastructure and Utilities:

1. An outdoor lighting plan shall be submitted with the final site plan application. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance:

The following standards are applicable to all properties:

- i. All lights shall be shielded in such a way as to direct all light toward the Earth's surface and away from reflective surfaces;
- ii. Light fixtures or lamps shall be shielded/shaded in such a manner as to direct incident rays away from all adjacent property, particularly Fort Bragg Military Reservation property, and any light on a pole, stand, or mounted on a building must have a shield, and adjustable reflector and non-protruding diffuser;
- iii. Any facilities, which may require floodlighting, may not arrange the light in such a way that it will shine toward roadways, on adjacent residential property or residentially zoned property, onto Ft. Bragg Military Reservation property, or into the night sky;
- iv. Any interior lighted signs may not be lit at night when any face of the sign is removed or damaged in such a way that the light may distract pedestrians or drivers or become a nuisance to homeowners;
- v. Any light fixture must be placed in such a manner that no light-emitting surface is visible from any residential area or public/private roadway, walkway, trail or other public way when viewed at the ground level.

- vi. Outdoor lighting and support stanchions shall be directed to the interior of the property to the greatest practical extent, and not lighting stanchions or features shall be placed within landscape buffer areas bordering Fort Bragg Military Reservation.
 - vii. Glare from lighting shall be reduced and minimized
2. For new development, all utilities, except for 25k or greater electrical lines, must be located underground.
 3. All proposed perimeter lighting will consist of shielded fixtures designed to prevent light spillover and upward glare, ensuring compliance with dark sky principles and minimizing interference with night training operations on the adjacent Installation(s).
 4. Any outdoor lighting shall be located on the interior of the site near the proposed office/maintenance building and commercial parking lot and not along the perimeter of the property boundaries to further avoid any light spilling onto the Ft. Bragg training grounds to maintain as dark an environment as possible for operations.

D. Fire Marshal and Fire Inspections:

Developer must ensure fire protection water supply requirements are met in accordance with Section 507 of the 2018 NC Fire Code. Developer is required to provide advanced coordination and contact with the County Fire Marshal Office prior to final site plan submittal as well as during site construction. Submit plans for any permits required in Section 105 of the 2018 Fire Code. All fire department access requirements shall be met in accordance with Section 503 of the 2018 NC Fire Code and demonstrated at the time of final site plan and permit applications, as applicable. Construction plans may be required for review by the Fire Marshal, and the developer is responsible for contacting prior to any development activity, including clearing and grading.

E. Stormwater and Drainage:

1. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environmental Quality (NCDEQ) sedimentation and erosion control plan(S&E). If any retention/detention bases are required for state approval of this plan, a formal revision application must be filed with Current Planning for review and approval.
2. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post- Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environmental Quality. If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy.
3. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean of free and debris (Section 2306, D., County Subdivision Ordinance).
4. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must demonstrate on the revised plan the placement of a four-foot-high fence with a lockable gate for the security of the stormwater utility structure. The owner/developer is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.

F. Landscaping:

1. The final site plan shall include a detailed landscaping plan addressing the regulatory requirements set forth in section 1102 of the County Zoning Code, including landscaping and tree plantings within the streetscape, yard space, and parking areas.
2. At the time of a final site plan application, the landscape plan shall provide additional vegetative buffering or screening along the western perimeter of the parcel to limit any potential eye-level glare or light from on-site light fixtures or vehicles maneuvering the site from going into the adjacent parcel owned by Ft. Bragg and used for night operations training.

G. Roads/Access/Parking:

1. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
2. All NCDOT permits must be obtained and submitted to the Code Enforcement Division prior to any issuance of a building permit or commencement of any development activity or change in property usage. Per NCDOT comments for this rezoning, failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense.
3. Turn lanes and road improvements may be required by the NC Department of Transportation (NCDOT) during review of the driveway permit or construction plans. Any NCDOT required improvements shall be completed prior to issuance of a certificate of occupancy unless otherwise indicated by NCDOT.
4. Access ways or drives within the premises shall be maintained in a dust-free condition through surfacing or such other treatment as may be necessary. Such driveways shall also be maintained to assure safe and expeditious passage of emergency response vehicles.
5. Per Section 1202.A, the required number of parking spaces are one space per 300 square feet of net floor area of the office space.
6. Parking and storage shall only occur on designated parking/storage areas appearing on the Conditional Zoning Site Plan or Final Site Plan.

H. Development Review Process:

1. A final site plan, to include a detailed lighting plan and landscaping plan, shall be provided to Planning staff with a written transmittal with a brief narrative of the plans provided. These plans shall be consistent with the approved conditional zoning site plan and the conditions of the approved conditional zoning.
2. In the event the requirements or conditions from a State or Federal Agency or utility provider creates an inconsistency with the conditional zoning site plan in any manner, a revised conditional site plan must be submitted to the Current Planning Division for review. Any change determined by the County to represent a substantial change to the conditional zoning site plan, Board of County Commission approval may be required, as shall be determined by the Planning Director.
3. Developer must coordinate with the Current Planning Division prior to making any changes to the conditional zoning site plan. Any changes to the conditional zoning site plan must be reviewed by the Current Planning Division to determine if any change is considered an insubstantial or substantial modification by the Planning Director.

I. Other Conditions:

1. This conditional zoning approval is not to be construed as all-encompassing of the applicable rules, regulations, etc., which must be complied with for any development. Other regulations, such as building, environmental health, and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.
2. Any substantial modification made to this approved conditional zoning site plan or conditions of approval, other than those set forth in the above conditions, must be approved by the Board of Commissioners as set forth by Section 506 of the Zoning Ordinance.
3. No clearing or grading shall occur until authorized by the Code Enforcement Manager. Authorized silviculture activities are exempt from this requirement.

J. Time Limitation

At the end of two years from the date of approval of this Conditional Zoning by the Board of County Commissioners, the Planning Board may examine progress made to determine if active efforts are proceeding. If the Planning Board determines that active efforts to develop are not proceeding, it may institute proceedings to rezone the property to its previous zoning classification.

Property Owner/Agent Acceptance of Conditions

(Print Name)

(Signature)

Date

Issued by:

David B. Moon, AICP
Deputy Director of Planning & Inspections

Date

Journal Envelope ID: C506F5D3-1786-481C-8E50-94B9F481B079



MILITARY RESERVATION

ADJOINING PARCEL
RR ZONING

ADJOINING PARCEL
RR ZONING

NAD 83 / 2011

GENERAL NOTES

ADJOINING PARCEL
MILITARY RESERVATION

[illegible][illegible][illegible]

DocuSigned by:
Anthony Edwards
70CB565E419B4BA...



1" = 200'

A horizontal graphic scale bar with alternating black and white segments. It is labeled with '0' at the left end, '200' in the middle, and '400' at the right end. The word 'Feet' is written below the right end of the bar.

SHEET NO:
1 OF 4

CONDITIONAL USE - REZONING
PLOT PLAN
2524 LUCAS RD.
SPRING LAKE, NC 28390
BONFANT HILL, LO-A SE-01 PL-01 31-0150
PIN: 050302190

OWNER

ALEX EDWARDS
SHAYLA EDWARDS

1820 ARLINGTON AVE. RACINE, WI 53403



EDWARDS
GEOSPATIAL

244 MCCURRY TRL., CHARLOTTE, NC 28245
PHONE: (704) 773-7807
FAX: (704) 773-7806
EDWARD GROUP ATTORNEYS

ATTACHMENT: MAILING LIST

ADEDOKUN, TOYIN JOSHUA
105 GREELEY CIR
SPRING LAKE, NC 28390

MARGO PROPERTIES
201 GOLDENSTAR LN
GREER, SC 29651

EDWARDS, SHAYLA; EDWARDS, ALEX
14051 ROCKINGHAM RD
GERMANTOWN, MD 20874

LEE, CEDRIC
998 SADDLEBRED LN
RAEFORD, NC 28376

LUCAS, MARVIN W
3318 HEDGEMOOR CIR
SPRING LAKE, NC 28390

SIBERT, STACIE
2366 N BRAGG BLVD
SPRING LAKE, NC 28390

ROSCH, ANDREW
3341 HUNTING BAY ROAD
SPRING LAKE, NC 28390

MCALPIN, THOMAS JOSEPH CO-TRUSTEE
4815 STONEHILL DR
RALEIGH, NC 27609

SMITH, MONIKA
3337 ANTLER DR
SPRING LAKE, NC 28390

DOVER, JERRY
2460 N BRAGG BLVD
SPRING LAKE, NC 28390

TOLBERT, JAMES R
6920 CLIFFDALE RD
FAYETTEVILLE, NC 28314

ADAMS, HOWARD J; ADAMS, MARIA D
1824 HOLLOMAN DR
FAYETTEVILLE, NC 28312

MARGO PROPERTIES
201 GOLDENSTAR LN
GREER, SC 29651

ASENLOO, ROMULUS E; ASENLOO, ELINOEMI
14 WESTDALE AVE
DALY CITY, CA 94015

SANDHILLS FAMILY HERITAGE ASSOCIATION
PO BOX 754
SPRING LAKE, NC 28390

LUCAS, MARVIN; YVONNE, L COOPER
3318 HEGEMOOR CIR
SPRING LAKE, NC 28390

FARMER, DANNIE LEE, [CEDRIC GLENN, P LEE](#)
998 SADDLEBRED LN
RAEFORD, NC 28376

CHEN, NENMEI
2403 CEDAR RIDGE CT
FAYETTEVILLE, NC 28306

LUCAS, MARVIN; LUCAS, BRENDA
3318 HEDGEMOOR CIR
SPRING LAKE, NC 28390

CONKLIN, HOWARD PAUL JR
3344 HUNTINGBAY RD
SPRING LAKE, NC 28390

LUCAS, THERESA
2360 LUCAS RD
SPRING LAKE, NC 28390

COOPER, BYRON
51 MIDDLEBURY LN
FAIRMONT, NV 26554

DILBER, MARK; DIBLER, KRISTIN D
1010 EAGLE PLACE
NORTH PRINCE GEORGE, VA 23860

MCDERMOTT, ROBERT C; MCDERMOTT, CANDACE
2434 N BRAGG BLV
SPRING LAKE, NC 28390

PERSON, CARLOS D
3342 HUNTINGBAY DR
SPRING LAKE, NC 28390

MDC NC3 LP
11995 EL CAMINO REAL
SAN DIEGO, CA 92130

LUCAS, MARVIN W; LUCAS, BRENDA
3318 HEDGEMOOR CIR
SPRING LAKE, NC 28390

THOMAS, DAVID; THOMAS, ESPERANZA
5712 GENTLEMAN DR
HOPE MILLS, NC 28348

WESTBROOK, JAMES; JESSICA,
3338 HUNTINGBAY DR
SPRING LAKE, NC 28390

QUALITY OIL CO LLC
PO BOX 2736
WINSTON-SALEM, NC 27155

GREEN, JACQUELINE L
PO BOX 100 DR
SPRING LAKE, NC 28390

WALKER, SHERRY LIN
3337 HUNTINGBAY RD
SPRING LAKE, NC 28390

PENNINGTON, DAKOTA THOMAS
2349 LUCAS RD
SPRING LAKE, NC 28390

RLUAC

Regional Land Use Advisory Commission

CUMBERLAND COUNTY COURTESY REVIEW

Project: ZON-25-0006 (Conditional Rezoning from RR to M(P))

Location: West end of Lucas Road

PIN#: 0503-00-2190

March 25, 2025

Following a review of the above referenced application by the RLUAC Land Use Committee, it has been determined that the property is situated adjacent to (and surrounded on three sides by) a training area on Fort Bragg that is used extensively for nighttime training that requires a low-light environment. In reviewing the application, we note that the applicant responded to initial comments provided by RLUAC regarding site lighting by providing a note on the site plan indicating that:

“All proposed perimeter lighting will consist of shielded fixtures designed to prevent light spillover and upward glare, ensuring compliance with dark sky principles and minimizing interference with night training operations on the adjacent Installation(s).”

RLUAC understands that the nature of the use proposed in the submitted plan requires some degree of lighting, particularly since it will operate 24 hours per day; however, in discussions with Fort Bragg, questions were raised regarding the need for perimeter lighting, particularly on the western edge of the property given the distance to the office and storage yard. Fort Bragg’s preference is to maintain as dark of an environment on the installation as possible, so any additional measures beyond shielding, like moving the perimeter fixtures toward the office / storage yard, would help in this regard. A planted buffer on the perimeter would also assist in preventing eye-level glare from vehicles maneuvering on the site at night from potentially interfering with the use of night vision devices.

The proposed use of the site for a truck parking / storage facility is generally compatible with military training, but RLUAC has concerns regarding the wide range of additional uses requested in the application. We would prefer that any change to the currently contemplated use or additional use(s) proposed to be established on the site in the future be reviewed through an amendment to the conditional zoning plan.

While RLUAC’s findings and recommendations are non-binding on Cumberland County, their consideration and incorporation into your review of this case will help to improve

compatibility outcomes for our region as a whole by protecting Fort Bragg's military training and operational missions.

Thank you for allowing RLUAC to review this case.

Kia Anthony, Chairman

Vagn K. Hansen II, AICP, Executive Director

ATTACHMENT: APPLICATION

Revised



County of Cumberland

Planning & Inspections Department

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

CASE #: ZON-25-0006

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

RECEIPT #: _____

RECEIVED BY: _____

Upon receipt of this application (petition), the Planning and Inspections Staff will present to the Planning Board the application at a hearing. 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 Planning Board will make a recommendation to the Cumberland County 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 four weeks following the Planning 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 "Cumberland County" in the amount of \$ 4331.00 (See County Fee Schedule)
\$ 1,325.00

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 and Inspections 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) 678-7603 or (910) 678-7602. Hours of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

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

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

1. Applicant/Agent Alex Edwards
2. Address: 14051 Rockingham Rd Zip Code 20874
3. Telephone: (Home) 910-802-3838 (Work) 239-313-9330
4. Location of Property: 2524 Lucas Rd./ Spring Lake, NC 28390
5. Parcel Identification Number (PIN #) of subject property: 0503-00-2190
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 30.24 Frontage: 1,450 Depth: 1240
7. Water Provider: Well Septage Provider: Septic
8. Deed Book 9094 + 9344, Page(s) 247 + 001, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Long leaf Pine farm
10. Proposed use(s) of the property: Truck storage (commercial)
+ all "other m(p) uses" except Airport + Railroad operations +
sexually oriented business.
shown in Appendix A.
11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes _____ No ✓
12. Has a violation been issued on this property? Yes _____ No ✓
13. It is requested that the foregoing property be rezoned FROM: RR

TO: (Select one)

- ✓ Conditional Zoning District, with an underlying zoning district of m(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.) *Commercial truck storage lot + other uses in future listed in Appendix A, sometime possibly in future.*

- 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.

*Residential - 0
Office - 2,500 sf
maint shed - 1,000 sf
open space - 30% initially*

*Commercial truck storage Sacs
(five acres)*

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 1104 or list the proposed setbacks. *m(p) requires minimum 50' setbacks and office is one story tall and far from border.*

- B. Off-street parking and loading, Sec. 1202 & 1203: List the number of spaces, type of surfacing material and any other pertinent information. *nine spaces*

Parking will be provided for people in office or performing site maint. (8) spaces, ^{asphalt} gravel covering. Only one employee expected on ⁴⁹ site normally.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

Signage for "entrance to lot" + "exit from lot" as well as sign "for office" will be provided IAW Article XIII of Cumberland County Code, Interim street signs will be NCDOT standard,

4. LANDSCAPE AND BUFFER REQUIREMENTS:

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

property does not abut a public street and is not visible from public road. Property comes into view @ end of long driveway.

- B. Indicate the type of buffering and approximate location, width and setback from the property lines. (Sec. 1102G). NOTE: All required buffers must be included on the site plan.

minimum setback for m(p) is 50' and that is provided around perimeter of property. Where property abuts neighboring RR there is a stream that requires 30' on either side of it for a total buffer of 110'.

5. MISCELLANEOUS: The 110' buffer will be made of natural vegetation.

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.

24-7 hours of operation with office hours being Monday to Friday from 0800-1600. One employee. Exterior lighting for storage lot + office parking area only, all lighting will be shielded.

6. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 1402. If the proposed uses involve development subject to the County Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the Subdivision Ordinance, the site plan must be of sufficient detail to allow the Planning and Inspections Staff, Planning Board and County 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 and Inspections 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 and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Alex + Shayla Edwards

NAME OF OWNER(S) (PRINT OR TYPE)

14051 Rockingham Rd

ADDRESS OF OWNER(S)

harrisonedwards@hotmail.com/shayhigg1@hotmail.com

E-MAIL

910-802-3838

HOME TELEPHONE

(239)313-9330

WORK TELEPHONE

Alex Edwards

SIGNATURE OF OWNER(S)

Shayla Edwards

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



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 4/15/2025

SUBJECT: CASE ZON-25-0007: REZONING REQUEST FROM RR RURAL RESIDENTIAL DISTRICT AND R15 RESIDENTIAL DISTRICT TO R20 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR TWO PARCELS COMBINING A TOTAL OF 93.36 +/- ACRES; LOCATED ON THE NORTH SIDE OF JOHNSON FARM RD, SOUTHWEST OF ELLIOT FARM RD; SUBMITTED BY SCOTT BROWN (AGENT) AND OWNED BY ABJ INVESTMENTS (APPLICANT).

ATTACHMENTS:

Description

ZON-25-0007

Type

Backup Material

**Location: North of Johnson Farm Rd and
West of Elliot Farm Rd**
Jurisdiction: County-Unincorporated

REQUEST

Rezoning RR and R15 to R20

Applicant requests a rezoning of two parcels from RR Rural Residential District and R15 Residential District to R20 Residential District for approximately 93.10 acres located on the north side of Johnson Farm Rd., southwest of Elliot Farm Rd, as shown in Exhibit "A". The northern parcel, zoned RR, contains approximately 21.1 acres while the southern parcel, zoned R15, contains approximately 72 acres. Currently used as undeveloped woodlands, the applicant intends to create a single-family residential development with 95 lots served by public streets. Rezoning to a single zoning district for the entire property avoids creation of residential lots that may be split by two zoning districts with different setback and use standards.

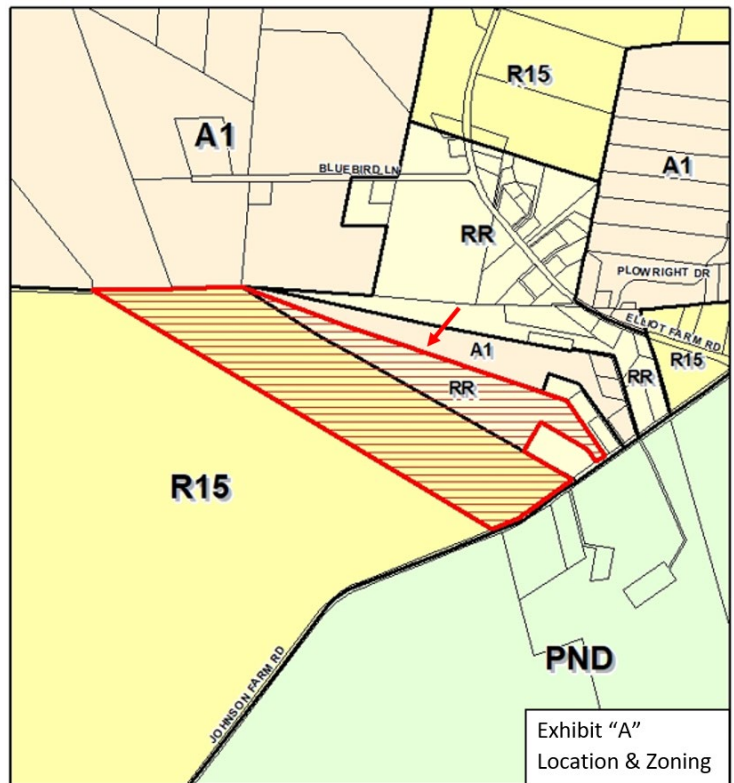
PROPERTY INFORMATION

OWNER/APPLICANT: ABJ Investments, LLC (Owners); Scott Brown, PE (Agent/Applicant).

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0532190770000 and 0532090594000

SIZE: The parcel(s) contain approximately 93.10 acres. Road frontage along Johnson Farm Road is 989 feet. The property is approximately 4301 feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned RR Rural Residential District and R15 Residential District. The Rural Residential district is designed for traditional rural use with lots of 20,000 square feet or above. The principal use of the land is for suburban density residential, including manufactured housing units, and agricultural purposes. These districts are intended to ensure that residential development not having access to public water supplies and dependent upon septic tanks for sewage disposal will occur at a sufficiently low density to provide for a healthful environment. The R15 Residential district is designed primarily for single-family dwelling units with a lot area of 15,000 square feet or above.

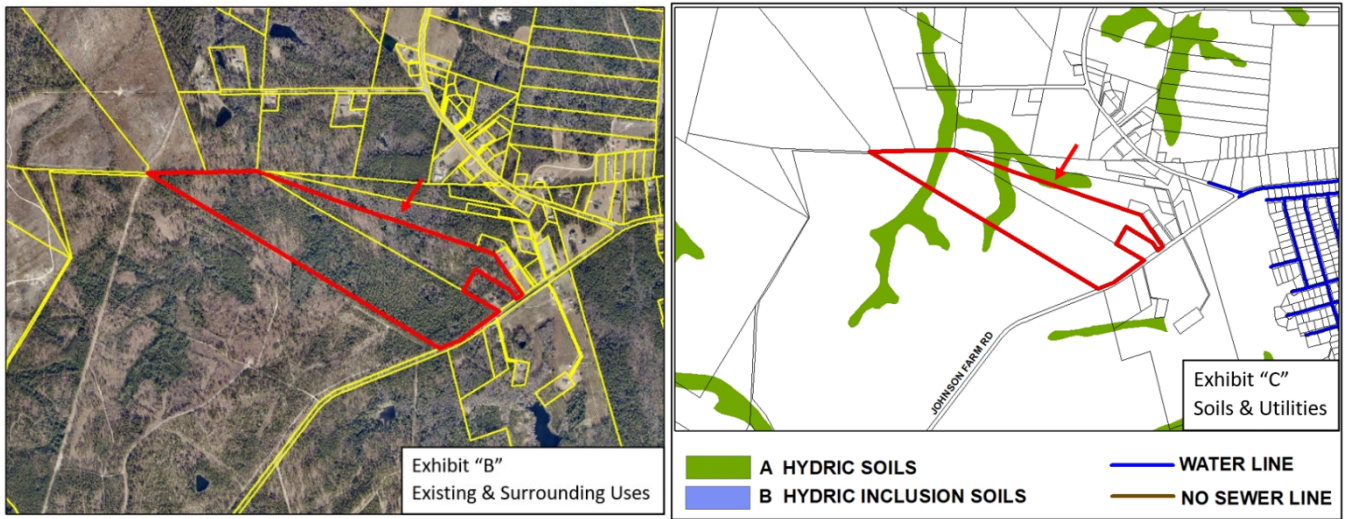


EXISTING LAND USE: The subject parcel is currently undeveloped woodlands. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Wooded lands
- **East:** Wooded lands
- **West:** Wooded lands and single-family homes
- **South:** Farmland and single-family homes

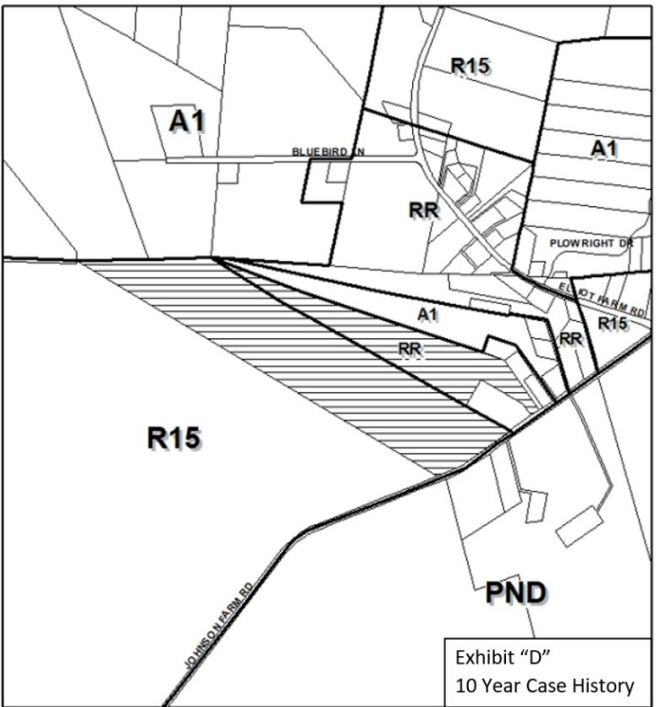
OTHER SITE CHARACTERISTICS: Along the northern edge of Johnson Farm Road, a narrow portion of the site is in a Watershed Protection Area. No portion of the property is located within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit “C”, illustrates the presence of hydric soils running through the western and central portions of the property.



TEN YEAR ZONE CASE HISTORY:

Exhibit “D” denotes no rezoning cases within the past ten years occurred near the subject property.

DEVELOPMENT REVIEW: Should the request be approved, the property owner intends to submit a preliminary subdivision plan and plat to subdivide the parcel into single family lots. Any subdivision must be consistent with County Subdivision and Zoning Ordinances.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	RR (Existing Zoning)	R15 (Existing Zoning)	R20 (Proposed)
Front Yard Setback	30 feet	30 feet	30 feet
Side Yard Setback	15 feet	10 feet	15 feet
Rear Yard Setback	35 feet	35 feet	35 feet
Lot Area	20,000 square feet	15,000 square feet	20,000 square feet
Lot Width	100 feet	75 feet	100 feet

DEVELOPMENT POTENTIAL:

Existing Zoning (RR and R15)	Proposed Zoning (R20)
255 dwelling units	203 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:

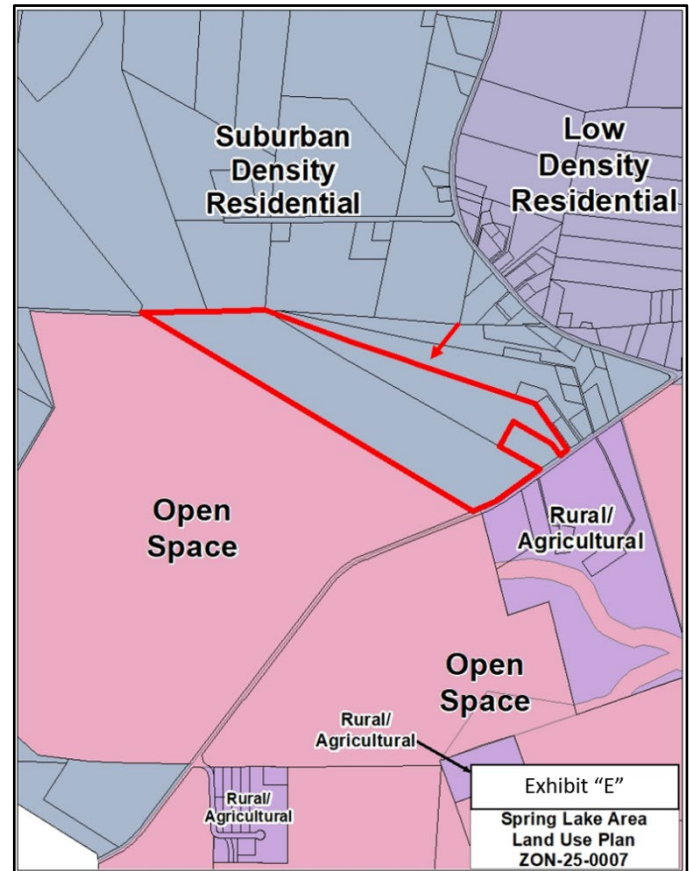
This property is located within the Spring Lake Area Land Use Plan (2022). The future land use classification of the property is "Suburban Density Residential", as shown in Exhibit "E".

The associated zoning districts for Suburban Density Residential are RR, R20, R20A, R30, and R30A.

The proposed rezoning request is consistent with the future land use plan.

Land Use Plan Development Goals and Objectives:

- "This is a chameleon classification, where R30 may be compatible with rural areas while R20 subdivisions can resemble a neighborhood compatible with denser areas" (Spring Lake Area Land Use Plan 2022, p. 44).
- "[Recommended because these] land use areas match current nearby zoning and land use and are therefore compatible with area character" (Spring Lake Area Land Use Plan 2022, p. 44).
- "[Recommended to serve as a buffer] between ideally denser areas and active farming or rural development" (Spring Lake Area Land Use Plan 2022, p. 44).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water lines are available along Elliot Farm Rd, but sewer lines are not available near the subject property as shown in Exhibit "C".

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property abuts Johnson Farm Rd and is identified as a major collector in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned, and the subject property will have no significant impact on the Transportation Improvement Program.

SCHOOLS CAPACITY/ENROLLMENT:

School	Enrollment	Capacity
Raleigh Road Elementary	207	179
Long Hill Elementary	416	516
Pine Forest Middle	706	804
Pine Forest High	1553	1712

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

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no objection to the rezoning request.

RLUAC: Based on the findings expressed in a letter received by the Planning Department from RLUAC, dated March 22, 2025, RLUAC has determined that the property is identified as Important to Protect in the Fort Bragg Compatible Use Rating System due to its location within a prescribed burn smoke awareness area. The property is also located near an active red-cockaded woodpecker foraging area, which is designated as Critical to protect in the Fort Bragg Compatible Use Rating System. RLUAC recommends that the disclosure of smoke impacts from prescribed burns and predevelopment consultation with USFWS be followed in any scenario in which the property is developed. A copy of the RLUAC letter is attached to this staff report.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: The subject property is located approximately one mile from Fort Bragg military reservation. Approximately one-third of the site at its northwestern end is located within a Voluntary Agriculture District Half Mile Buffer area.

Special Districts			
Fayetteville Regional Airport Overlay:	<input type="checkbox"/>	Averasboro Battlefield Corridor:	<input type="checkbox"/>
Five Mile Distance of Fort Bragg:	<input checked="" type="checkbox"/>	Eastover Commercial Core Overlay District:	<input type="checkbox"/>
Voluntary Agriculture District (VAD):	<input type="checkbox"/>	Spring Lake Main Street Overlay District:	<input type="checkbox"/>
VAD Half Mile Buffer:	<input checked="" type="checkbox"/>	Coliseum Tourism Overlay District:	<input type="checkbox"/>

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

STAFF RECOMMENDATION

In Case ZON-25-0007, Planning and Inspections staff **recommends approval** of the rezoning request from RR Rural Residential and R15 Residential Districts to R20 Residential District. Staff finds that the request is consistent with the Spring Lake Area Land Use Plan which calls for "Suburban 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
RLUAC Letter

ATTACHMENT – MAILING LIST

WIDEMAN, ONETHIA M
7690 HERIOT DR
FAYETTEVILLE, NC 28311

STATE OF NC
116 W JONES ST
RALEIGH, NC 27603

DANIEL, HELEN MARIE
903 JOHNSON FARM RD
FAYETTEVILLE, NC 28311

DANIEL, HELEN MARIE
903 JOHNSON FARM RD
FAYETTEVILLE, NC 28311

STATE OF NORTH CAROLINA
1321 MAIL SERVICE CENTER
RALEIGH, NC 27699

ABJ INVESTMENTS LLC
PO BOX 361
FAYETTEVILLE, NC 28302

MCMANUS, RACHEL C
1537 ELLIOT FARM RD
FAYETTEVILLE, NC 28311

MCCORMICK FARMS LIMITED PARTNERSHIP
1895 MCCORMICK BRIDGE RD
SPRING LAKE, NC 28390

KNOX, GRACE HEIRS
908 JOHNSON FARM RD
FAYETTEVILLE, NC 28311

LEE, FAYE B
1182 BLUEBIRD LN
FAYETTEVILLE, NC 28311

MCNEIL, CHARLEY JR:MCNEIL, BRENDA K
7767 DRAGON HEAD RD
FAYETTEVILLE, NC 28311

BRENDAN JEFFERSON; SHELBY ALEXANDRA
7764 TRAPPERS RD
FAYETTEVILLE, NC 28311

MCCORMICK FARMS LIMITED PARTNERSHIP
8195 MCCORMICK BRIDGE RD
SPRING LAKE, NC 28390

KNOX, PAMELA R
914 JOHNSON FARM RD
FAYETTEVILLE, NC 28311

ROSE, CYNTHIA
103 BANICHER COURT
SPRING LAKE, NC 28390

LEE, ALICE FAYE
1182 BLUEBIRD LN
FAYETTEVILLE, NC 28311

MCCORMICK FARMS LIMITED PARTNERSHIP
8195 MCCORMICK BRIDGE RD
SPRING LAKE, NC 28390

MCNEIL, CHARLEY JR:MCNEIL, BRENDA K
7767 DRAGON HEAD RD
FAYETTEVILLE, NC 28311

ABJ INVESTMENTS LLC
PO BOX 361
FAYETTEVILLE, NC 28302

DANIEL, JUSTIN L
1068 DELANCY DR
HOPE MILLS, NC 28348

DANIEL, HELEN MARIE
903 JOHNSON FARM RD
FAYETTEVILLE, NC 28311

MCNEIL, CHARLEY JR; MCNEIL, BRENDA K
7767 DRAGON HEAD RD
FAYETTEVILLE, NC 28311

ATTACHMENT – APPLICATION



CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

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 \$ _____.
(See County 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)678-7627 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 R15 & RR to R20
2. Address of Property to be Rezoned: Johnson Farm Rd west of intersection w/Elliot Farm Rd
3. Location of Property, details: west of intersection w/Elliot Farm Rd

4. Parcel Identification Number (PIN #) of subject property: 0532090594000 & 0532190770000
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 93.1 Frontage: 958' Depth: 3,906'
6. Water Provider: Well: _____ PWC: _____ Other (name): Harnett Regional Water
7. Septage Provider: Septic Tank X PWC _____
8. Deed Book 12116 , 7045 , Page(s) 658, 828 , Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: wooded/vacant
10. Proposed use(s) of the property: single family residential

11. Do you own any property adjacent to or across the street from this property?
Yes _____ No X If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No X

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

ABJ Investments, LLC
NAME OF OWNER(S) (PRINT OR TYPE)

PO Box 361, Fayetteville, NC 28302
ADDRESS OF OWNER(S)

HOME TELEPHONE # 910-824-1238
WORK TELEPHONE #

4D Site Solutions, Inc - Scott Brown
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

409 Chicago Drive, Suite 112, Fayetteville, NC 28306
ADDRESS OF AGENT, ATTORNEY, APPLICANT

sbrown@4dsitesolutions.com
E-MAIL

910-489-6731
HOME TELEPHONE # 910-426-6777
WORK TELEPHONE #


SIGNATURE OF OWNER(S) 
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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

AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): ABJ Investments, LLC

MAILING ADDRESS: PO Box 361, Fayetteville, NC 28302

Officer's name and title: Brian Raynor - Manager

1. That I am (we are) owner's and record title holder(s) of the following described property legal description, to with:
2. That this property constitutes the property for which a request for (type of Application Approval Requested: Rezoning from R15 & RR to R20
3. That the undersigned has (have) appointed and does (do) appoint Scott Brown as agent(s) to execute any petitions or other documents necessary to affect such petition, including development review time extension requests; and request that you accept my agent (s) signature as rep[resenting my agreement of all terms and conditions of the approval process;
4. That this affidavit has been executed to induce Cumberland County, North Carolina and act on the foregoing request;
5. That I, (we) the undersigned authority, hereby certify that the foregoing is true and correct.

Brian Raynor - Manager

Owner's Signature/Print Title

Owner's Signature/Print Title

Owner's Signature/Print Title

State of North Carolina
Cumberland County

The foregoing instrument was acknowledged before me by means of Self physical presence or _____ online notarization, this 25 day of March (month), 2025 (year), by Brian Raynor (name of person acknowledging) who is personally known to me or who has produced NC License (type of identification) as identification.



Natasha A Ward

Signature of Notary Public – State of North Carolina

(Print, Type or Stamp Commissioned Name Of Notary Public to the Left of Signature)

4/30/25
expires

ATTACHMENT – RLUAC LETTER

RLUAC

Regional Land Use Advisory Commission

CUMBERLAND COUNTY COURTESY REVIEW

Project: ZON-25-0007 (Rezoning from RR & R15 to R20)

Location: 944 Johnson Farm Road

PIN#s: 0532-19-0770 & 0532-09-0594

March 22, 2025

Following a review of the above referenced application by the RLUAC Land Use Committee, it has been determined that:

- The property is identified as Important to Protect in the Fort Bragg Compatible Use Rating System due to its location within a prescribed burn smoke awareness area.
- The property is located in close proximity to an active red-cockaded woodpecker foraging area, which is designated as Critical to Protect in the Fort Bragg Compatible Use Rating System.

The subject parcels are located adjacent to state-owned lands that are managed with periodic prescribed burns to maintain the health of the longleaf pine habitat which helps to support the federally listed red-cockaded woodpecker. Residents of the proposed subdivision will likely be exposed periodically to smoke conditions when these managed burns take place. It is recommended that this fact be disclosed to lot purchasers and their successors in title to ensure that they are aware of this potential impact.

The presence of a nearby red-cockaded woodpecker active foraging area indicates that a predevelopment consultation for this site is warranted to ensure that there are no incidental takings caused by development activity. The US Fish & Wildlife Service provides these consultations and more information can be found at: <https://www.fws.gov/office/eastern-north-carolina-ecological-services/project-planning-and-consultation>. The owner / developer can review all potential threatened and endangered species that may be present on the site using the USFWS IPaC tool found at: <https://ipac.ecosphere.fws.gov/>.

Maintaining critical habitat for threatened and endangered species is a key component of Fort Bragg's environmental mission, which helps to sustain its military training and operational missions. Loss of habitat can increase requirements on the installation to maintain additional habitat, which, in turn, can remove land that is required for training activities.

RLUAC recommends that the disclosure of smoke impacts from prescribed burns and predevelopment consultation with USFWS be followed in any scenario in which the property is developed. While RLUAC's findings and recommendations are non-binding on Cumberland County, their consideration and incorporation into your review of this case will help to improve compatibility outcomes for our region as a whole by protecting Fort Bragg's military training and operational missions.

Thank you for allowing RLUAC to review this case.

Kia Anthony, Chairman

Vagn K. Hansen II, AICP, Executive Director



PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 4/15/2025

SUBJECT: CASE ZON-25-0009: REZONING REQUEST FROM A1 AGRICULTURAL DISTRICT TO R40 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR PARCEL COMPRISING 2.19 +/- ACRES; AND LOCATED AT 2070 CANADY POND RD; SUBMITTED BY JEFF RIDDLE (AGENT), CAPE FEAR INVESTMENTS (OWNER/APPLICANT).

ATTACHMENTS:

Description

ZON-25-0009

Type

Backup Material

REQUEST

Rezoning A1 to R40

Applicant requests a rezoning from A1 Agricultural District to R40 Residential District for approximately 2.19 acres located at 2070 Canady Pond Rd. The parcel is currently undeveloped. The intent of the property owner is to subdivide the parcel into two parcels for residential use.

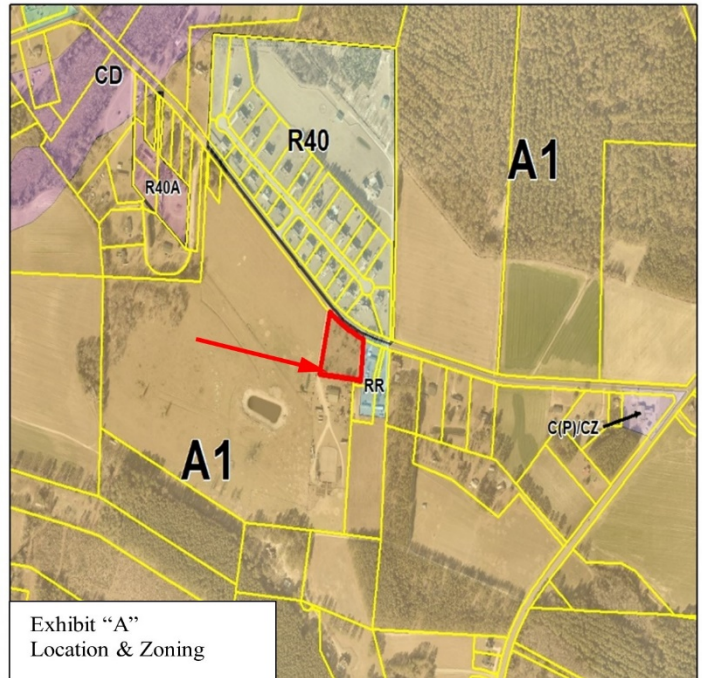
PROPERTY INFORMATION

OWNER/APPLICANT: Cape Fear Investment Properties, Kevin Riddle (Owner); Jeff Riddle (Agent)

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: 0420893393000

SIZE: The parcel contains approximately 2.19 acres. Road frontage along Canady Pond Road is approximately 315.17 feet. The property is approximately 384.59 feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned A1 Agricultural district. This district is designed to promote and protect agricultural lands, including woodlands, 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 use are permitted to ensure essential services for the residents.

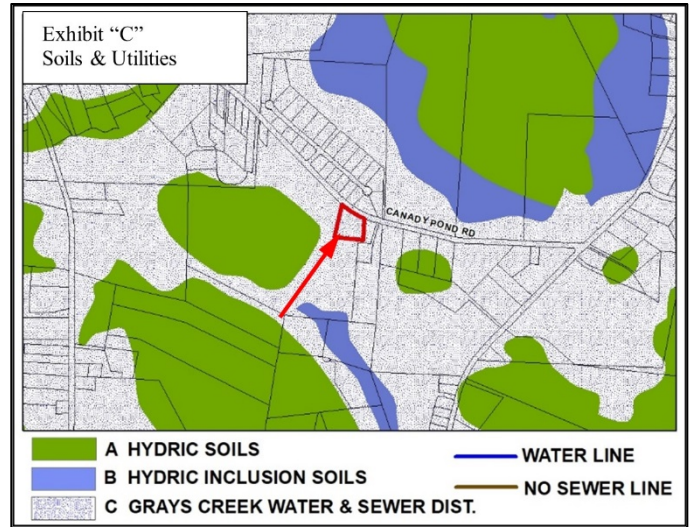


EXISTING LAND USE: The subject parcel is currently undeveloped. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Single-family homes
- **East:** Single family homes
- **West:** Farmland and a manufactured home
- **South:** Equine training facility, a workshop, and a dog kennel

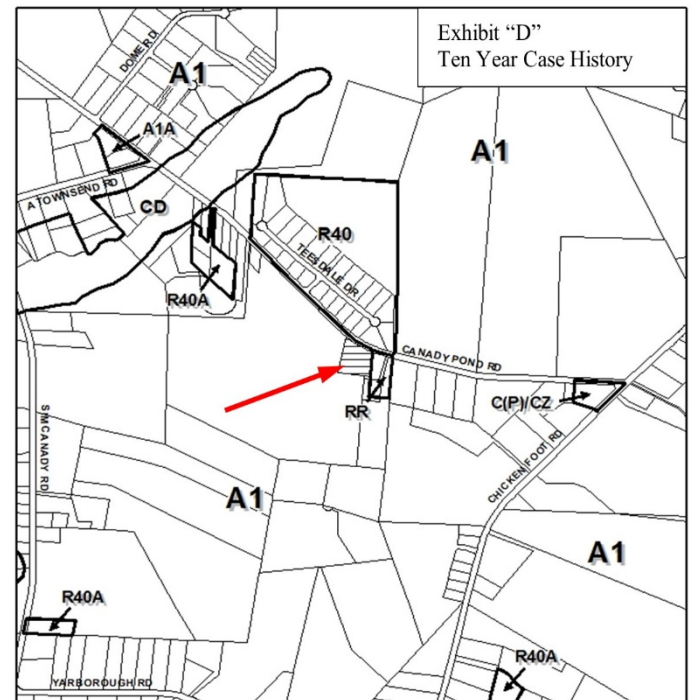
OTHER SITE CHARACTERISTICS: The site is not located in a Watershed Protection Area or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates no presence of hydric or hydric inclusion soils at the property.



TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes no zoning cases within the last ten years near the site.

DEVELOPMENT REVIEW: Should the request be approved, a preliminary plan for any subdivision will need to be submitted to the Current Planning Division for review and approval and to ensure conformance with the County Subdivision and Zoning Ordinances.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	R40 (Proposed)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet	15 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 acres	40,000 square feet
Lot Width	100 feet	100 feet

Development Potential:

Existing Zoning (A1)	Proposed Zoning (R40)
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.

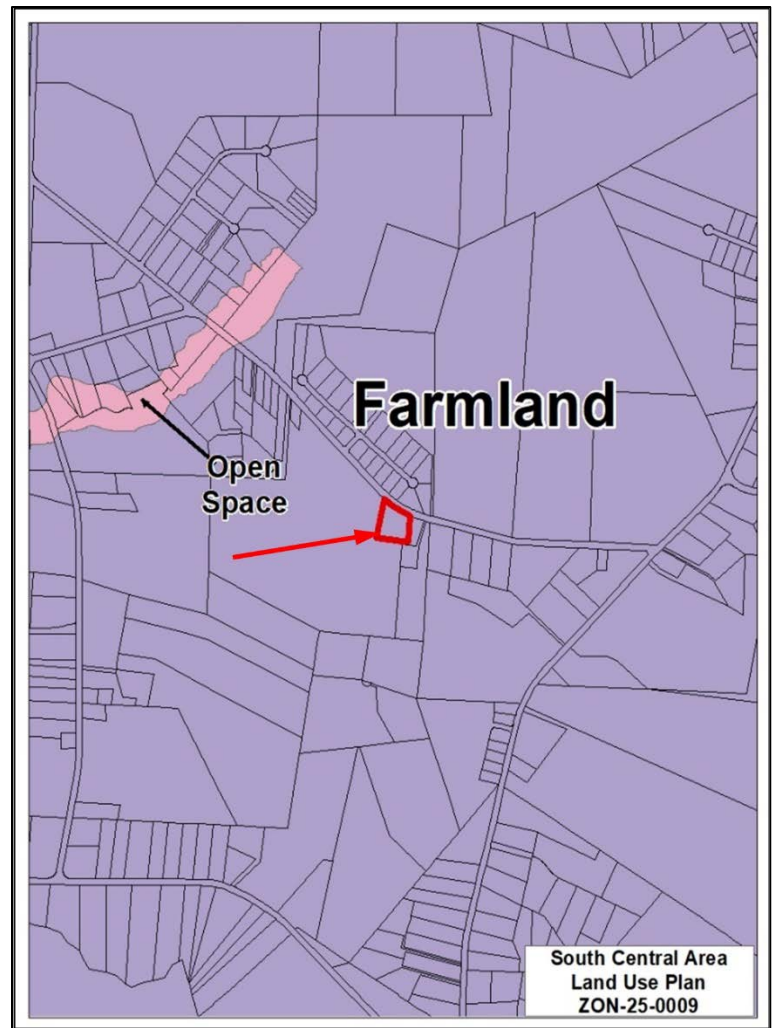
COMPREHENSIVE PLANS:

This property is located within the South-Central Area Land Use Plan (2015). The future land use classification of the property is "Farmland". Associated zoning districts for this classification are A1, A1A, CD, R40, and R40A.

The proposed rezoning request is consistent with the future land use plan.

Development Goals, Notes, and Objectives:

- Provide a complete range of residential housing types that accommodates the needs of all residents with adequate infrastructure while preserving the character of the area and protecting environmentally sensitive areas (South Central Land Use Plan 2015, p. 93).
- Promote the building of quality housing and encourage the use of low impact developments techniques (South Central Land Use Plan 2015, p. 93).
- Provide an attractive living environment by protection the existing natural beauty, improving the landscaping and site design requirements for new development, and reducing the litter and sign clutter along the roadways in the study area (South Central Land Use Plan 2015, p. 97).
- Provide and preserve natural vegetative buffer areas between single and multi-story residential development and non-residential uses (South Central Land Use Plan 2015, p. 93).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: Water and sewer lines are not available near the subject property. Utilities for water and sewer are shown on Exhibit "C". Well and septic will likely be required, and the lot size must meet the minimum area necessary to accommodate both.

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property, 2070 Canady Road, will not have any significant impact on the Transportation Improvement Program and should not generate enough traffic to significantly impact Canady Pond Road.

SCHOOLS CAPACITY/ENROLLMENT:

School	Enrollment	Capacity
Gray's Creek Elementary	413	432
Gray's Creek Middle	1103	1083
Gray's Creek High	1455	1517

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

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no objections to the rezoning request.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS: This site is located with a half-mile buffer of a designated Voluntary Agricultural District.

Special Districts			
Fayetteville Regional Airport Overlay:	<input type="checkbox"/>	Averasboro Battlefield Corridor:	<input type="checkbox"/>
Five Mile Distance of Fort Bragg:	<input type="checkbox"/>	Eastover Commercial Core Overlay District:	<input type="checkbox"/>
Voluntary Agricultural District (VAD):	<input type="checkbox"/>	Spring Lake Main Street Overlay District:	<input type="checkbox"/>
VAD Half Mile Buffer:	<input checked="" type="checkbox"/>	Coliseum Tourism Overlay District:	<input type="checkbox"/>

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

STAFF RECOMMENDATION

In Case ZON-25-0009, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R40 Residential District. Staff finds that the request is consistent with the South-Central Area Land Use Plan which calls for "Farmland" 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

LEGG, JOSEPH SCOTT; LEGG,
ASHLEY ELIZABETH
2022 TEESDALE DR
HOPE MILLS, NC 28348

FOWLER, BOBBY E; FOWLER, BRENDA
105 RUPERT RD 2
RALEIGH, NC 27603

MONTEMAYOR, CARLA S
2047 TEESDALE DR
HOPE MILLS, NC 28348

DAVIDSON, HANK M
2088 TEESDALE DR
HOPE MILLS, NC 28348

STRAUGHTER, STEVEN; STRAUGHTER, S
VENISE
1932 TEESDALE DR
HOPE MILLS, NC 28348

MESA, ROBERT PAUL
5206 OLYMPIA FIELDS LN
HOUSTON, TX 77069

MONROE, MARGARET; MONROE,
WAYNE
1176 WILL MONROE RD
RAEFORD, NC 28376

CLINE, DAVID R; CLINE, LEE ANN
2100 BRAMBLE ACRES RD
HOPE MILLS, NC 28348

CICCARELLI, LOUIE;
CICCARELLI, RUTHANN
2027 TEESDALE DRIVE
HOPE MILLS, NC 28348

BRAMBLE, REBECCA E
3734 CHICKEN FOOT RD
HOPE MILLS, NC 28348

HART, TERRI J
7325 BARN HART RD
FAYETTEVILLE, NC 28306

GRIFFITH, SHAWN
1966 TEESDALE DRIVE
HOPE MILLS, NC 28348

BRAMBLE, DAMON EARL
202 E CAPITAL ST
BENTON, IL 62812

SEALEY, TIMOTHY; SEALEY, REBECCA
4830 US 301 HWY
HOPE MILLS, NC 28348

GADDIE, RICHARD E HEIRS
FRANCES CHARLES
6107 PINE STREET CT
FAYETTEVILLE, NC 28311

BRAMBLE, CHARLES; BRAMBLE,
BOBBIE
2134 CANADY POND RD
HOPE MILLS, NC 28348

ROBERTS, CANDACE D; TERRY,
2079 TEESDALE DR
HOPE MILLS, NC 28348

ELLIS, CHRISTOPHER K;
JOHNNIE, L
1947 TEESDALE DR
HOPE MILLS, NC 28348

SANFORD, KELLY ANN
1981 TEESDALE DR
HOPE MILLS, NC 28348

FISHER, BRANDON C; FISHER, KERRI L
2158 CANADY POND ROAD
HOPE MILLS, NC 28348

CANADY, ERNEST R;
CANADY, JANICE
6937 SIM CANADY RD
HOPE MILLS, NC 28348

FOWLER, EUGENE; FOWLER,
BRENDA
1011 NEW RAND RD
GARNER, NC 27529

CRAWFORD, TERRY; CRAWFORD, TONI
2007 TEESDALE DR
HOPE MILLS, NC 28348

BRAMBLE, REBECCA E
3734 CHICKEN FOOT RD
HOPE MILLS, NC 28348

BRAMBLE, CHARLES; BRAMBLE,
BOBBIE
2134 CANADY POND RD
HOPE MILLS, NC 28348

LOMAS, EDDIE; LOMAS, MELISSA
2078 TEESDALE DR
HOPE MILLS, NC 28348

WILKES, CHRISTOPHER;
WILKES, GINA
2032 TEESDALE DR
HOPE MILLS, NC 28348

TIMP CAPITAL LLC
1557 GEORGE WILLIAMS RD
LOUISVILLE, GA 30434

GOTTFRIED, CRAIG; GOTTFRIED,
KIMBERLY 1946 TEESDALE DR
HOPE MILLS, NC 28348

RUIZ, LARRY A; RUIZ,
PAMELA S
2052 TEESDALE DR
HOPE MILLS, NC 28348

GLASS, JEREMY R
2059 TEESDALE DRIVE
HOPE MILLS, NC 28348

PRYCE, CHERYL M; GARDNER, ONEIL C
1967 TEESDALE DRIVE
HOPE MILLS, NC 28348

ODELL, KAREN; ODELL,
CHRISTOPHER
2042 TEESDALE DRIVE
HOPE MILLS, NC 28348

RIVERA, MICHAEL; RIVERA,
NICOLE E ARMENTA
2006 TEESDALE DR
HOPE MILLS, NC 28348

FOWLER, EUGENE; BRENDA, WILLIAMS
105 RUPERT RD
RALEIGH, NC 27603

BURTON, JOHN W II;
BURTON, JANICE
2068 TEESDALE DR
HOPE MILLS, NC 28348

FOWLER, BOBBY EUGENE;
FOWLER, BRENDA
105 RUPERT RD
RALEIGH, NC 27603

BICE, AMANDA NEELY
2134 CANADY POND ROAD
HOPE MILLS, NC 28348

FOWLER, BOBBY EUGENE;
FOWLER, BRENDA
1011 NEW RAND RD
GARNER, NC 27529

CROCKETT, WILLIAM; CROCKETT,
EMILY
1980 TEESDALE DR
HOPE MILLS, NC 28348

ATTACHMENT: APPLICATION



CASE #: _____

PLANNING BOARD
MEETING DATE: _____

DATE APPLICATION
SUBMITTED: _____

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 County 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)678-7627 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*.

Historic Cumberland County Courthouse • 130 Gillespie St. – Post Office Box 1829 • Fayetteville, North Carolina 28301 (910) 678-7600 • Fax: (910) 678-7631

**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 ~~R40~~ R
2. Address of Property to be Rezoned: 2070 Canady Pond Road
3. Location of Property, details: 2070 Canady Pond Road
2.19 Acres
4. Parcel Identification Number (PIN #) of subject property: 0420893393
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 2.19 Frontage: 313 Depth: 300±
6. Water Provider: Well: ☒ PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank ☒ PWC _____
8. Deed Book 12174, Page(s) 119, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Residential
10. Proposed use(s) of the property: Residential
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.

Kevin Riddle Cape Fear Investments Prop.
NAME OF OWNER(S) (PRINT OR TYPE)

7397 Riddle Road, ST. Pauls NC 28384
ADDRESS OF OWNER(S)

N/A HOME TELEPHONE # 910 624 1152 WORK TELEPHONE #

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

5465 Hall Park Road, Fay. NC 28306
ADDRESS OF AGENT, ATTORNEY, APPLICANT

riddle3653@gmail.com
E-MAIL

HOME TELEPHONE # 910 308 9330 WORK TELEPHONE #

X KR SIGNATURE OF OWNER(S) Jeff Riddle SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

SIGNATURE OF OWNER(S)

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

AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION FORM

PROPERTY OWNER (Company or Individual): Cape Fear Investment Properties

MAILING ADDRESS: Kevin Riddle
7397 Riddle Road, St. Pauls NC 28384

Officer's name and title: Kevin Riddle

1. That I am (we are) owner's and record title holder(s) of the following described property legal description, to with:
2. That this property constitutes the property for which a request for (type of Application Approval Requested): Rezoning
3. That the undersigned has (have) appointed and does (do) appoint Jeff Riddle as agent(s) to execute any petitions or other documents necessary to affect such petition, including development review time extension requests; and request that you accept my agent (s) signature as representing my agreement of all terms and conditions of the approval process;
4. That this affidavit has been executed to induce Cumberland County, North Carolina and act on the foregoing request;
5. That I, (we) the undersigned authority, hereby certify that the foregoing is true and correct.

X KOR
Owner's Signature

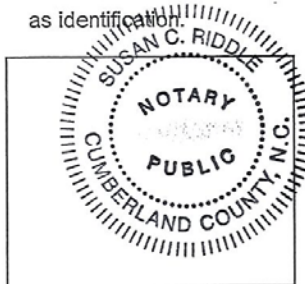
Owner's Signature

Owner's Signature

State of North Carolina

Cumberland County

The foregoing instrument was acknowledged before me by means of X physical presence or _____ online notarization, this 27 day of February (month), 2025 (year), by Susan C. Riddle (name of person acknowledging) who is personally known to me or who has produced license (type of identification) as identification.



Susan Riddle
Signature of Notary Public – State of North Carolina
(Print, Type or Stamp Commissioned Name of Notary Public to the Left of Signature)

FILED ELECTRONICALLY
CUMBERLAND COUNTY NC
ANDRA S. BREWINGTON

FILED Feb 25, 2025
AT 10:44:13 AM
BOOK 12174
START PAGE 0119
END PAGE 0121
INSTRUMENT # 05225
RECORDING \$26.00
EXCISE TAX \$135.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax \$ 135.00

P&L File # 6526-6

Parcel Identifier No.: 0420-83-3393

This instrument prepared by: Parker C. Lee, Person & Lee PLLC, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.

Return to: Person & Lee, PLLC

Brief Description for the Index: 2.19 acres, more or less, Cumberland County, NC

THIS DEED made this 18 day of February, 2025 by and between:

GRANTOR	GRANTEE
ROBERT PAUL MESA and spouse LISA RENEE BLAKE	CAPE FEAR INVESTMENT PROPERTIES, LLC, a North Carolina limited liability company
Mailing Address: 5206 Olympia Fields Lane Houston, TX 77069	Mailing Address: 7397 Riddle Road St. Pauls, NC 28384
	Property Address: 2070 Canady Pond Road Hope Mills, NC 28348

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in or near the City of Hope Mills, Grays Creek Township, Cumberland County, North Carolina and more particularly described as follows:

BEGINNING at an iron pipe in the southern R/W margin of S.R. 2249, said iron pipe being a point in Horace Smith's Line of a tract of land recorded in Deed Book 1066, Page 121, Cumberland County Registry; and runs thence with Smith's western line South 05 degrees 00 minutes West 250.00 feet to an iron pipe; thence with a new line North 81 degrees 32 minutes West 327.80 feet to an iron pipe, thence North 12 degrees 43 minutes East 384.59 feet to an iron pipe, a point in the Southern R/W margin of S.R. 2249; thence with the Southern R/W margin of S.R. 2249 the following courses and distances South 50 degrees 30 minutes East 100.00 feet to a point; thence South 56 degrees 13 minutes East 101.65 feet to a point; thence South 61 degrees 29 minutes east 113.52 feet to the beginning. Containing 2.19 acres more or less and being the same tract conveyed to Millie O.

Submitted electronically by "Person & Lee PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Cumberland County Register of Deeds.

Honeycutt and husband Paul W. Honeycutt as recorded in Deed Book 2899, Page 439, Cumberland County Registry.

The property hereinabove described was acquired by instrument recorded in Book 3692, Page 712, Cumberland County, North Carolina, Registry.

A map showing the above described property is recorded in Plat Book , Page , Cumberland County, North Carolina, Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions: ad valorem taxes for the current year, restrictive covenants, utility easements, permits, and rights of way as the same may appear of record

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal effective the day and year first above written.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK-SEE NEXT PAGE FOR SIGNATURES)

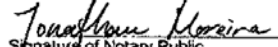
If initialed, the property includes the primary residence of at least one of the Grantors. (INC GS § 105.317.2)

 (SEAL)
Robert Paul Mesa
 (SEAL)
Lisa Renee Blake

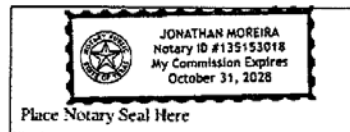
STATE OF Texas
COUNTY OF Harris

I certify that the following person(s) personally appeared before me this day and I have personal knowledge of the identity of the principal(s) or have seen satisfactory evidence of the principal's identity by a current state or federal identification with the principal's photograph in the form of a driver's license or a credible witness has sworn to the identity of the principal(s), each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated. Name of Principal: Robert Paul Mesa and Lisa Renee Blake.

Date: February 18th, 2025


Signature of Notary Public
Jonathan Moreira
Printed Name of Notary Public

My Commission Expires: 10/31/2028





PLANNING AND INSPECTIONS DEPARTMENT

MEMORANDUM FOR JOINT PLANNING BOARD AGENDA OF APRIL 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 4/15/2025

SUBJECT: CASE ZON-25-0010: REZONING REQUEST FROM A1 AGRICULTURE DISTRICT TO R40 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT FOR 16.6 +/- ACRES; LOCATED EAST OF ROCK HILL ROAD AND NORTH OF ROCKY RIVER ROAD; SUBMITTED BY TIMOTHY EVANS (AGENT); MARY PARKER ON BEHALF OF JAMES MCNEILL WILLIAMS (OWNER).

ATTACHMENTS:

Description

ZON-25-0010

Type

Backup Material

REQUEST

Rezoning A1 to R40

Applicant requests a rezoning from A1 Agricultural District to R40 Residential District for approximately 16.6 +/- acres located east of the intersection of Rock Hill Rd. and Rocky River Rd and west of Interstate 95. The parcel is currently undeveloped woodlands. The intent of the property owner is to develop the property for residential use.

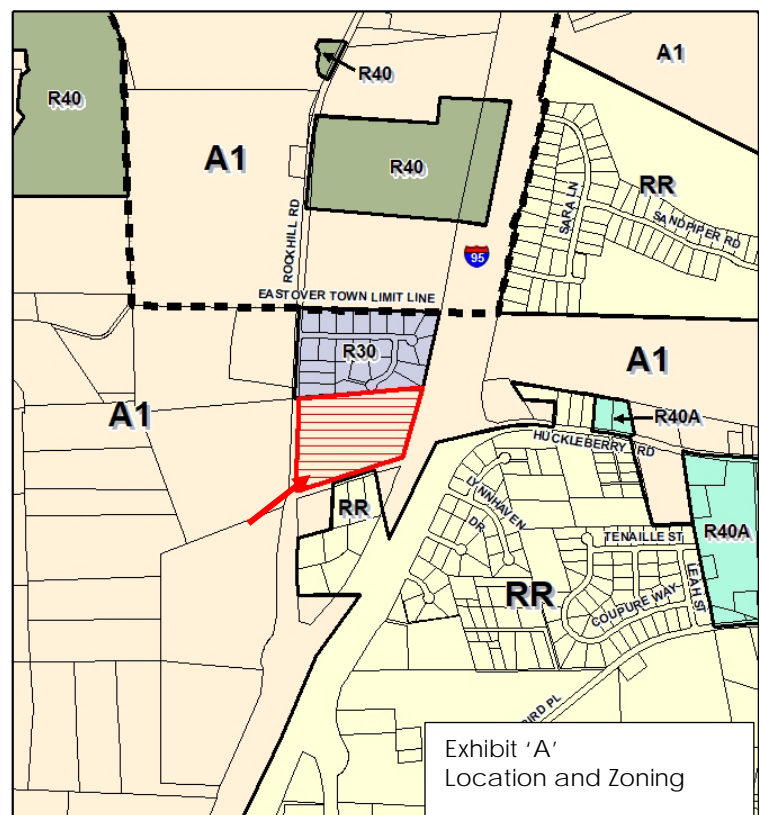
PROPERTY INFORMATION

OWNER/APPLICANT: Timothy Evans (Agent); Mary Parker on behalf of James McNeill Williams (Owner).

ADDRESS/LOCATION: Refer to Exhibit "A", Location and Zoning Map. REID number: portion of 0467169907000.

SIZE: The parcel contains approximately 16.6 acres. Road frontage along Rock hill Road is 790 feet. The property is approximately 1,408 feet in length at its deepest point.

EXISTING ZONING: The subject property is currently zoned A1 Agricultural District. This district is designed 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.

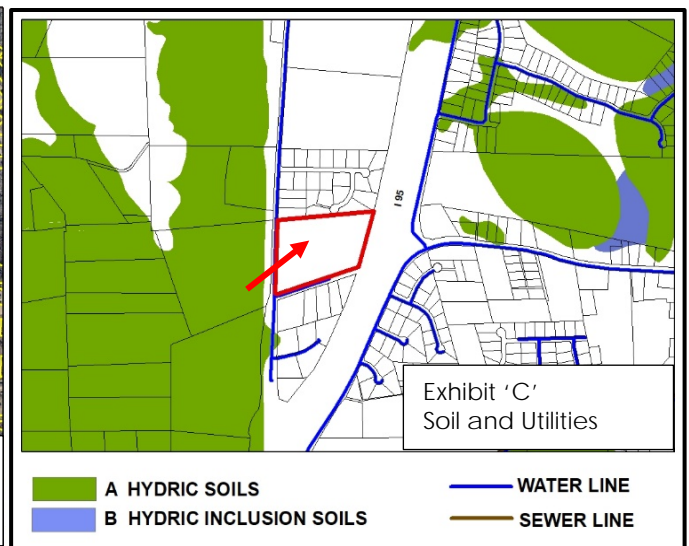


EXISTING LAND USE: The subject parcel is currently undeveloped woodlands. Exhibit "B" shows the existing use of the subject property.

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

- **North:** Single family residential lots (Rock Hill Manor Sub.)
- **East:** Interstate 95
- **West:** Rock Hill Rd; Wooded lands
- **South:** Rock River Rd; Single family residential lots (Rock Hill Estates)

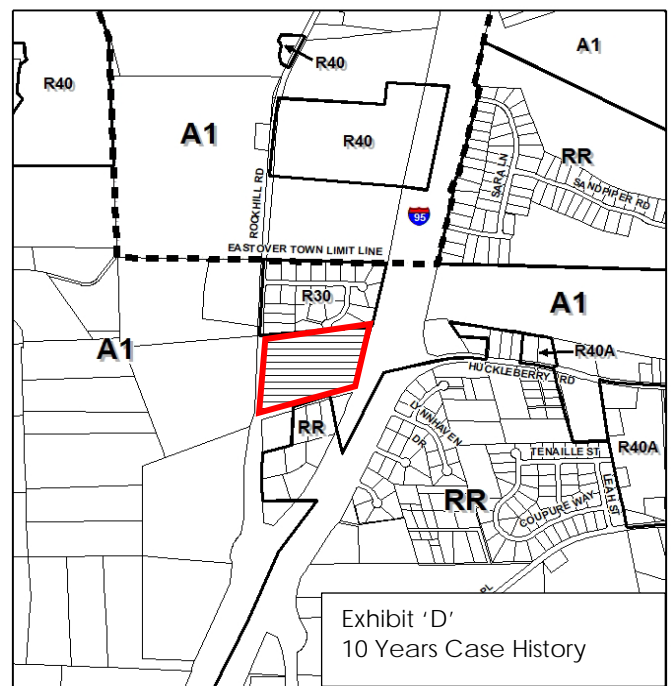
OTHER SITE CHARACTERISTICS: The site is not located in a Watershed Protection Area or within a Flood Zone Hazard Area. The subject property, as delineated in Exhibit "C", illustrates no presence of hydric soils and hydric inclusion soils at the property.



TEN YEAR ZONE CASE HISTORY:

Exhibit "D" denotes no rezoning cases occurring within the past ten years near the subject property.

DEVELOPMENT REVIEW: Should the request be approved, the property owner intends to submit a preliminary subdivision plan and plat to subdivide the parcel for residential use. Any subdivision must be consistent with County Subdivision and Zoning Ordinances.



DIMENSIONAL PROVISIONS FOR REQUESTED DISTRICT:

Minimum Standard	A1 (Existing Zoning)	R40 (Proposed)
Front Yard Setback	50 feet	30 feet
Side Yard Setback	20 feet	15 feet
Rear Yard Setback	50 feet	35 feet
Lot Area	2 acres	40,000 square feet
Lot Width	100 feet	100 feet

DEVELOPMENT POTENTIAL:

Existing Zoning (A1)	Proposed Zoning (R40)
8 dwelling units	18 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.

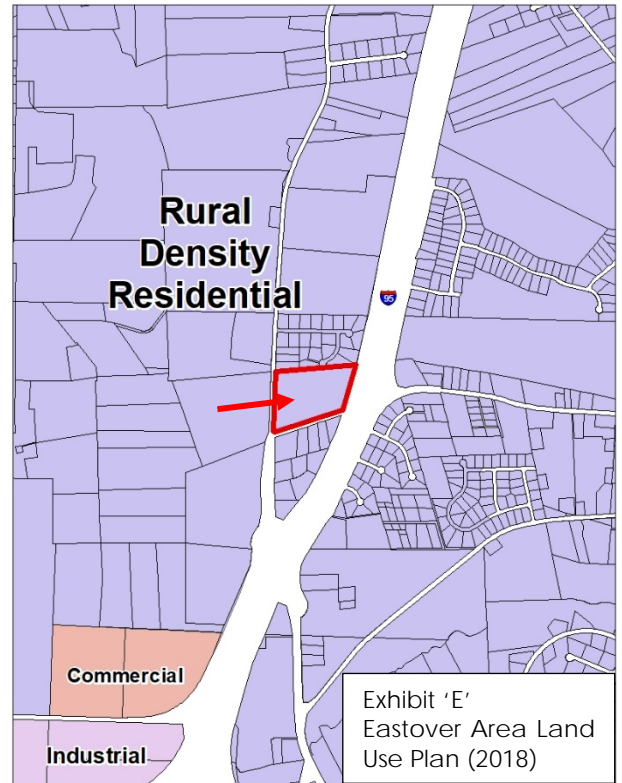
COMPREHENSIVE PLANS:

This property is located in the Eastover Area Land Use Plan (2018). The future land use classification of the property is "Rural Density Residential". The associated zoning districts for Rural Density Residential are RR, R20, R20A, R30, R30A, R40, and R40A.

The proposed rezoning request is consistent with the future land use plan.

FUTURE LAND USE CLASSIFICATION Development Goals, Notes, and Objectives:

- "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" (Eastover Area Land Use Plan 2018, p. 49).
- "Use development techniques that preserve the rural character of the area" (Eastover Area Land Use Plan 2018, p. 49).
- "Encourage more than one means of ingress/egress in new residential subdivisions and connectivity to existing subdivisions" (Eastover Area Land Use Plan 2018, p. 49).
- "Provide an attractive living environment that enhances the overall aesthetics of the area" (Eastover Area Land Use Plan 2018, p. 50).



IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

UTILITIES: An Eastover water line is available next to the subject property as shown in Exhibit "C". Sewer lines are not currently near the site. On-site septic systems will likely be required, and the lot size must meet the minimum area necessary to accommodate both.

TRAFFIC: According to the Fayetteville Area Metropolitan Planning Organization (FAMPO), the subject property sits on Rock Hill Road and is identified as a minor arterial in the Metropolitan Transportation Plan. There are no roadway construction improvement projects planned and the subject property will have no significant impact on the Transportation Improvement Program. In addition, Rock Hill Road has a 2021 AADT of 1,600 and a road capacity of 14,100. Due to lack of data and the proposed small-scale development, the new zoning request does not demand a trip generation study. The new development should not generate enough traffic to significantly impact Rock Hill Road.

SCHOOLS CAPACITY/ENROLLMENT:

School	Enrollment	Capacity
Armstrong Elementary	442	441
Mac Williams Middle	1190	1164
Cape Fear High	1510	1476

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

EMERGENCY SERVICES: Cumberland County Fire Marshal's office has reviewed the request and has no objections to the rezoning request.

SPECIAL DISTRICTS/ OVERLAY DISTRICTS:

Special Districts			
Fayetteville Regional Airport Overlay:	<input type="checkbox"/>	Averasboro Battlefield Corridor:	<input type="checkbox"/>
Five Mile Distance of Fort Bragg:	<input type="checkbox"/>	Eastover Commercial Core Overlay District:	<input type="checkbox"/>
Voluntary Agricultural District (VAD):	<input type="checkbox"/>	Spring Lake Main Street Overlay District:	<input type="checkbox"/>
VAD Half Mile Buffer:	<input type="checkbox"/>	Coliseum Tourism Overlay District:	<input type="checkbox"/>

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

STAFF RECOMMENDATION

In Case ZON-25-0010, Planning and Inspections staff **recommends approval** of the rezoning request from A1 Agricultural District to R40 Residential District. Staff finds that 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

LEONARD, SHELDON;BENNER,
KERRIE
14 TEAL LANE
NOBLEBORO, ME 04555

GRAHAM, FREDERICK E
84 LEWIS ST
BRIDGEPORT, CT 06605

GRAHAM, LEWIS
84 LEWIS ST
BRIDGEPORT, CT 06605

GRAHAM, LOUIS E
84 LEWIS ST
BRIDGEPORT, CT 06605

VONNETTA GRAHAM LIVING TRUST
435 N FULTON AVE
MT VERNON, NY 10552

VONNETTA GRAHAM LIVING TRUST
435 N FULTON AVE
MT VERNON, NY 10552

VONNETTA GRAHAM LIVING TRUST
435 N FULTON AVE
MT VERNON, NY 10552

GRAHAM, DAN
3 FLOYD CIR
MIDDLETOWN, DE 19709

WILLIAMS, JAMES MCNEILL
1309 QUINCY COTTAGE
RDHILLSBOROUGH, NC 27278

GRAHAM, DELDRID MAURICE
1860 BRIDGER ST
FAYETTEVILLE, NC 28301

GRAHAM, DELDRID; GRAHAM, DARLENE
1860 BRIDGER ST
FAYETTEVILLE, NC 28301

MURPHY, VERNELL W
1870 GOLA DR
FAYETTEVILLE, NC 28301

SEWARD, JELAN
413 STONECROP DR
FAYETTEVILLE, NC 28301

BAGOT, ESTHER;VICKERIE, TEXROY SR
3817 HUCKLEBERRY RD
FAYETTEVILLE, NC 28301

WALKER, HOMER
PO BOX 133
FAYETTEVILLE, NC 28302

STRICKLAND, BETTY
HPO BOX 2273
FAYETTEVILLE, NC 28302

STRICKLAND, BETTY
HPO BOX 2273
FAYETTEVILLE, NC 28302

STRICKLAND, BETTY H
PO BOX 2273
FAYETTEVILLE, NC 28302

AGS LAND LLC
PO BOX 53798
FAYETTEVILLE, NC 28305

BROWN, ERIN H
PO BOX 64902
FAYETTEVILLE, NC 28306

PAGE, RONNIE LEE
2908 BIRMINGHAM DR
FAYETTEVILLE, NC 28306

LEE HYUNDAI INC
PO BOX 42007
FAYETTEVILLE, NC 28309

GHEE, CAROL
216 PUDDINGSTONE
DRIVEFAYETTEVILLE, NC 28311

HYE, RHONDA SPENCER
3219 LYNNHAVEN DR
FAYETTEVILLE, NC 28312

JOHNSON, BRENDA S
1146 WHITE PLAINS DR
FAYETTEVILLE, NC 28312

GLOVER, WOODROW;GLOVER, JOYCE
3310 SYMPHONY CT
FAYETTEVILLE, NC 28312

BLACK, KENNETH ALAN
1220 WHITE PLAINS DR
FAYETTEVILLE, NC 28312

JOHNSON, PHIL R;JOHNSON,
BARBARA 3274 ROCKY RIVER RD
FAYETTEVILLE, NC 28312

HAYES, TONY P;HAYES, MARY M
1066 BUCKLAND DR
FAYETTEVILLE, NC 28312

GOODWIN, WILLIAM;GOULET-GOODWIN,
KAREN
3319 SYMPHONY COURT
FAYETTEVILLE, NC 28312

SIMPSON, MEKESA; SIMPSON,
DARRYL
3760 HUCKLEBERRY RD
FAYETTEVILLE, NC 28312

SIMPSON, MEKESA; SIMPSON,
DARRYL
3760 HUCKLEBERRY RD
FAYETTEVILLE, NC 28312

ELLIOTT, JANICE
3915 HUCKLEBERRY RD
FAYETTEVILLE, NC 28312

GONZALES, ADRIAN SR;GONZALES, PHILOMENA
3233 LYNNHAVEN DR
FAYETTEVILLE, NC 28312

ELLIOTT, LARRIE LEE
4469 MCNEILL RD
FAYETTEVILLE, NC 28312

RAY, SONNY B; RAY, JESSICA LUSKY
3781 HUCKLEBERRY RD
FAYETTEVILLE, NC 28312

GODIN, TONY;GODIN, LISA
3227 LYNNHAVEN DR
IVEFAYETTEVILLE, NC 28312

SHOEMAKER, RICKY; SHOEMAKER,
BRENDA
3311 SYMPHONY CT
FAYETTEVILLE, NC 28312

ODEH, HANI A;ODEH, SALUA
3238 LYNNHAVEN DR
FAYETTEVILLE, NC 28312

MICHAEL, CHRYSTLE
3329 MERCEDES DRIVE
FAYETTEVILLE, NC 28312

HARRIS, MARK; HARRIS, BRIGITTA
1473 ROCK HILL RD
EASTOVER, NC 28312

ALEXANDER, BENJAMIN; ALEXANDER, CONSTANCE
3315 MERCEDES DR
FAYETTEVILLE, NC 28312

HAIRE, LINCOLN MICHAEL; HAIRE,
DONNA
3216 LYNNHAVEN DR
FAYETTEVILLE, NC 28312

LANDRY, NICHOLAS; WILLIAMS, MARIAH
913 LOG CABIN RD
FAYETTEVILLE, NC 28312

ELLIOTT, BOBBY LIN;ELLIOTT, THERESA DIANE
3916 HUCKLEBERRY RD
FAYETTEVILLE, NC 28312

BOWERS, BRIAN S
3209 LYNNHAVEN DR
FAYETTEVILLE, NC 28312

RIVERA, CARLOS M. JR.
3232 LYNNHAVEN DR
FAYETTEVILLE, NC 28312

LEMASTER, JAMES A;LEMASTER, LINDA M
884 BROAD MUSKEG RD
FAYETTEVILLE, NC 28312

MARTIN, MARYANN
3246 ROCKY RIVER RD
FAYETTEVILLE, NC 28312

BANKS, GEROME;BANKS, KARINA
1300 ROCK HILL RD
FAYETTEVILLE, NC 28312

PARKS, YVONNE
3314 MERCEDES DR
FAYETTEVILLE, NC 28312

SCHULTZ, TINA
420 STONECROP DR
FAYETTEVILLE, NC 28312

WALDRUP, TROY;WALDRUP,
KIMBERLY
3771 HUCKLEBERRY RD
FAYETTEVILLE, NC 28312

MCLEAN, HARVEY M;MCLEAN,
KYONG
3310 WISHING LN
FAYETTEVILLE, NC 28312

RAY, SONNY B;RAY, JESSICA LUSKY
3781 HUCKLEBERRY RD
FAYETTEVILLE, NC 28312

FISHER, JOYCE
1542 ROCK HILL RD
EASTOVER, NC 28312

BABEL, ETHAN
3215 LYNNHAVEN DR
FAYETTEVILLE, NC 28312

RAMSEY, LILITH;HESSION, MICHAEL
3226 LYNNHAVEN DRIVE
FAYETTEVILLE, NC 28312

JOHNSON, PHIL; JOHNSON, BARBARA
J
3274 ROCKY RIVER RD
FAYETTEVILLE, NC 28312

BANKS, GEROME;BANKS, KARINA
1300 ROCK HILL RD
FAYETTEVILLE, NC 28312

TURNER, JUSTIN; TURNER, MOANA
RENEE
3223 LYNNHAVEN DR
FAYETTEVILLE, NC 28312

DUNCAN, JONATHAN
3318 SYMPHONY CT
FAYETTEVILLE, NC 28312

LOCK, CHRISTY R
745 THREEWOOD DR
FAYETTEVILLE, NC 28312

WELLS, GENE BROWN; WELLS, SHARON
BACHELOR
3213 ELMS THORPE RD
FAYETTEVILLE, NC 28312

PARKS, YVONNE
3314 MERCEDES DR
FAYETTEVILLE, NC 28312

ELLIOTT, LARRIE LEE
4469 MCNEILL RD
FAYETTEVILLE, NC 28312

MCLEAN, WILLIAM DALE; MCLEAN, KIM
WILLIAMS
1222 ROCK HILL
FAYETTEVILLE, NC 28312

WHITE, CLARENCE; WHITE, NOREEN
3315 SYMPHONY CT
FAYETTEVILLE, NC 28312

MCLAURIN, DAVID E JR
3755 HUCKLEBERRY RD
FAYETTEVILLE, NC 28312

PELUSO, DELPHINA J
3305 SYMPHONY CT
FAYETTEVILLE, NC 28312

EVERHART, GERAN
409 STONECROP DR
FAYETTEVILLE, NC 28312

PILCHER, EUGENE; PILCHER,
KAREN
1210 WHITE PLAINS DR
FAYETTEVILLE, NC 28312

AULTMAN, CALVIN; AULTMAN, CHRISTY
3605 TENAILLE ST
FAYETTEVILLE, NC 28312

BELSHE, JACE; BELSHE, ALLISON M
3504 COUPURE WAY
FAYETTEVILLE, NC 28312

HEDGEPEETH, JACK JR
3508 COUPURE WAY
FAYETTEVILLE, NC 28312

BENNETT, LOU RAYMOND
3254 ROCKY RIVER RD
FAYETTEVILLE, NC 28312

HAFLING, CHASE TYLER
3759 HUCKLEBERRY ROAD
FAYETTEVILLE, NC 28312

JOHNSON, MILDRED M
1242 ROCK HILL RD
FAYETTEVILLE, NC 28312

MCLUCAS, MILDRED F HEIRS
3805 HUCKLEBERRY RD
FAYETTEVILLE, NC 28312

SIMPSON, MEKESA; SIMPSON,
DARRYL
3760 HUCKLEBERRY RD
FAYETTEVILLE, NC 28312

QUANT, NELSON A; QUANT,
ESPERANZA
3314 SYMPHONY CT
FAYETTEVILLE, NC 28312

WILLIAMS, E MCCRAIN; WILLIAMS, MICHELLE
3208 ELMS THORPE DR
FAYETTEVILLE, NC 28312

THOMAS, DELBERT LEE II
3603 CLINTON RD
FAYETTEVILLE, NC 28312

MCGIFFERT, RANDOLPH
804 SARA LN
FAYETTEVILLE, NC 28312

AKE, TIMOTHY R; AKE, LAURI W; KLAPP,
MICHAEL
3304 SYMPHONY
COURT FAYETTEVILLE, NC 28312

THOMPSON, RODERICK ONEAL
3313 WISHING LANE
FAYETTEVILLE, NC 28312

BROWNE, FONDA E
1025 OAKSTONE DR
FAYETTEVILLE, NC 28314

BROWNE, FONDA EARLENE
1025 OAKSTONE DR
FAYETTEVILLE, NC 28314

GAINEY, SYEDA M; GAINEY, LEWIS D
577 BROYHILL RD
FAYETTEVILLE, NC 28314

GRAHAM, ERROL C
852 HOLLOW BRIDGE RD
AUTRYVILLE, NC 28318

GRAHAM, VERONICA
PO BOX 24
WADE, NC 28395

CLANTON, CLIFFORD NEIL
4310 SOUTH RIVER SCHOOL RD
WADE, NC 28395

WELD, LOUIS MACKALL TRUSTEE
709 SPLENDID MEADOWS WAY
SPARTANBURG, SC 29307

WATKINS, MIKE W
820 WITHERSPOON CT
MCDONOUGH, GA 30253

DREAM FINDERS HOMES LLC
14701 PHILIPS HWY STE 300
JACKSONVILLE, FL 32256

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JACKSONVILLE, FL 32256

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JACKSONVILLE, FL 32256

DREAM FINDERS HOMES LLC
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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 \$ 550.00.
(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 A-1 to R-40
2. Address of Property to be Rezoned: Rock Hill Rd & Rock River Rd.
3. Location of Property: Eastover (Rock Hill Rd)
Hickory Branch
4. Parcel Identification Number (PIN #) of subject property: 0467-16-9907
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 20 Frontage: _____ Depth: _____
6. Water Provider: Well: _____ PWC: _____ Other (name): Eastover Sanitary Dist.
7. Septage Provider: Septic Tank Sept. Tanks PWC _____
8. Deed Book 10249, Page(s) 54, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: undeveloped (wooded)
10. Proposed use(s) of the property: St. J. built homes
11. Do you own any property adjacent to or across the street from this property?
Yes ☒ No ☐ If yes, where? Rock Hill Rd
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.

Mary Parker

NAME OF OWNER(S) (PRINT OR TYPE)

1309 Driny Cottage Rd

ADDRESS OF OWNER(S)

Hillsboro, N.C. 27278

HOME TELEPHONE #

919-741-0378

WORK TELEPHONE #

Tim Evans / Gallberry Run, Land & Development

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

2680 Arnette Estate Pl. Fa, N.C. 28300

ADDRESS OF AGENT, ATTORNEY, APPLICANT

E-MAIL

tim@longletproperties.com

HOME TELEPHONE #

910-273-5010

WORK TELEPHONE #

[Signature]

SIGNATURE OF OWNER(S)

[Signature]

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

[Signature]

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 APRIL 15, 2025

TO: JOINT PLANNING BOARD

FROM: RAWLS HOWARD, DIRECTOR OF PLANNING & INSPECTIONS

DATE: 4/15/2025

SUBJECT: LAND DEVELOPMENT ORDINANCE (LDO)