

Lori Epler,
Chair
Cumberland County

Roy Turner,
Vice-Chair
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Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Patricia Hall,
Town of Hope Mills
Charles C. Morris,
Town of Linden



Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin
Wade, Falcon, & Godwin

COUNTY of CUMBERLAND

Planning & Inspections Department

October 5, 2009

MEMORANDUM

TO: Spring Lake Board of Aldermen

FROM: Edward M. Byrne, Planner II, Land Use Codes

SUBJECT: CASE NO. 09-104. CONSIDERATION OF THE STONE GATE AT SPRING LAKE APARTMENTS, GROUP DEVELOPMENT REVIEW; ZONED: R5A; TOTAL ACREAGE: 20.50 +/-; LOCATED ON THE SOUTH SIDE OF SR 1602 (SPRING AVENUE), WEST OF S PINE TREE LANE.

The developer of the above referenced case is requesting your approval of a group development for an apartment complex with 264 dwelling units. The property has 820.00 feet of road frontage on SR 1602 (Spring Avenue) and will have one main entrance drive and one emergency fire lane, both entrances will be gated with siren activated gates. The property is located adjacent to the middle school and the developer will be required to construct a sidewalk along Spring Avenue to provide access to the school property.

Attached you will find the Town Plan Review Committee's comments, recommended conditions of approval, group development sketch, aerial photo, and a vicinity map. If you have any questions regarding this memorandum, please contact me at 678-7609, email: ebyrne@co.cumberland.nc.us.

Attachments

cc: SEGY, LLC, Developer
Miller/Player & Associates, Surveyor
Allen Coats, Spring Lake Interim Town Manager
John Jackson, Spring Lake Town Attorney
Thomas Spinks, Spring Lake Director of Planning
Patti Speicher, Land Use Codes

The Town of

300 Ruth Street, P.O. BOX 617
PHONE: 910-436-0241
FAX: 910-436-2667



CHARTERED IN 1951

Spring Lake

SPRING LAKE, NORTH CAROLINA
ZIP CODE 28390-0617
WEBSITE: www.spring-lake.org

MAYOR

ETHEL T. CLARK
INTERIM TOWN MANAGER
ALLEN COATS
TOWN CLERK
RHONDA D. WEBB, CCM

ALDERMEN

JAMES P. O'GARRA, MAYOR PRO - TEM
RICHARD P. HIGGINS, ALDERMAN
NAPOLEON HOGANS, ALDERMAN
FREDRICKA SUTHERLAND, ALDERWOMAN
Nellie McCoy, ALDERWOMAN

Sept. 9, 2009

To: Ed Byrne
Cumberland County Planner
PO Box 1829
Fayetteville, NC 28302
Fax: (910) 678-7669

From: Thomas H. Spinks
Town of Spring Lake
Director of Planning

Re: Case # 09-104
Stonegate at Spring Lake Property
Group Development Review

Town of Spring Lake's Plan Review Committee have been working very closely with the developer, the Group Development Site plan for Stonegate Apartments meets all technical compliance as designed. Town of Spring Lake PRC recommends approval with the following comments:

- That the developer secures Cumberland County 911 Addressing for the property before issuance of building permits.
- That all proposed signage must meet the Town sign regulations.

If you have any questions, please contact me at (910) 436-0241.

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STAFF REVIEW: 09-10-09 SPRING LAKE ALDERMEN DECISION: 10-12-09

CASE NO: 09-104 NAME OF DEVELOPMENT: STONE GATE AT SPRING LAKE APARTMENTS

MIA: N/A GROUP DEVELOPMENT REVIEW

LOCATION: SOUTH SIDE OF SR 1602 (SPRING AVENUE), ZONING: R5A

WEST SIDE OF SOUTH PINE TREE LANE PIN: 0511-16-3204- & 0501-97-4543-

OWNERS / DEVELOPER: N/A ENGINEER OR DESIGNER: MILLER/PLAYER & ASSOC.

STAFF RECOMMENDATION:

- ☒ PRELIMINARY
☐ EXTENSION ☐ REVISION
☒ CONDITIONAL APPROVAL
☐ DENIED

BOARD OF ALDERMEN DECISION:

- ☒ PRELIMINARY
☐ EXTENSION ☐ REVISION
☐ APPROVED CONDITIONALLY
☐ DENIED

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

Pre-Permit Related:

1. Prior to application for any permit, the developer must submit five copies of a revised plan for staff approval, which must include the following:
 - a. Relocation of the "trash compactor" from the front yard so that it is no closer to the public street than any principal structure;
 - b. A solid buffer must be provided and maintained along the side and rear property lines, to include the side yard closest to S. Pine Tree Ln and excepting that portion of the tract abutting SR 1602 (Spring Ave); the buffer type and location must be reflected on the revised plans and constructed in accordance with the provisions of Section 156.088.6, Buffers, Spring Lake Zoning Chapter;
 - c. The revised plan must include incorporation of the few remaining mature pine trees into the landscaping of this site; and
 - d. The revised landscape plan must not include Japanese Privet (*Ligustrum japonicum*), Heavenly Bamboo (*Nandina domestica*) or Japanese barberry (*Berberis thunbergii*) as these are invasive plants that threaten to displace native plants, alter fire regimes, reduce forage for native wildlife, reduce the aesthetic value of the Sandhills landscape and harm water quality by increasing streambank erosion – appropriate native species plants must be substituted for the aforementioned plants.

(Note: The developer is encouraged to contact the local office of the US Fish and Wildlife prior to submission of the revised plans.)

2. Prior to application for any permit, the developer must provide to the Town Building Inspector a copy of a recorded easement which grants ingress, egress and regress rights for the access to the subject property across the "flag strip" identified on the recorded plat as "Dd Bk. 4435, pg. 603" – labeled on the site plan as "Fire Lane."

Permit-Related:

3. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the Spring Lake Zoning Code and permits required to place any structure within this development from the Spring Lake Inspections Department in Town Hall at 300 Ruth Street. For additional information, the developer should contact a Spring Lake Inspector.
4. Connection to public water and sewer is required, the Town of Spring Lake must approve water and sewer plans prior to application for any permits. A copy of the Town's approval must be provided to the Spring Lake Inspections Department at the time of application for building/zoning permits.
5. New development that will disturb one acre or more of land or is part of a larger plan that will disturb at least an acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Spring Lake Stormwater Department. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the Town's *Post-Construction Permit* must be provided to Town's Inspections Department.
6. For any new development, the developer must provide the Spring Lake Inspections Department with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.
7. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
8. Landscaping must be provided in accordance with Section 156.088, Landscaping Requirements, Spring Lake Zoning Chapter and/as shown on the site plan. The following are the minimum standards for the required landscaping of this site:
 - a. Sixteen large shade trees or 33 small ornamental trees within the front yard setback area along SR 1602 (Spring Avenue);
 - b. Twenty-four large shade trees or 48 small ornamental trees within the front yard setback area along S Pine Tree Lane;
 - c. Twenty small ornamental trees and 119 shrubs are required in the building yard area;
 - d. Forty-seven large shade trees or 97 small ornamental trees are required within the parking area.

In addition:

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

Site-Related:

10. All uses, dimensions, setbacks and other related provisions of the Spring Lake Subdivision and Zoning Chapters for the R5A zoning district must be complied with, as applicable.

11. All corner lots and lots fronting more than one street must provide front yard setbacks from each street.
12. This conditional approval is not approval of the permit for any freestanding signs. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Section 156.110 – 156.121 of the Spring Lake Zoning Chapter 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.)
13. The street name signs, in compliance with the County Street Sign Specifications, must be installed prior to the building final inspection of each phase of this development which contains a street or drive intersection. The developer should contact E911 Street Naming and Addressing for inquiries regarding the County's policy for street sign installation or, if the sign is commissioned from a private source, to schedule an inspection of the street sign(s). The Spring Lake Inspections Department must receive notice of agreement with the Street Naming & Addressing Section for sign installation or of satisfactory inspection prior to the approval of the final occupancy permit for each building.
14. A concrete, or other approved surface material, sidewalks are required to be constructed along one side of all streets, to include along SR 1602 (Spring Avenue) (5 or more du/ac); the sidewalk must be fully constructed prior to the building final inspection of the last building within this development. [Section 155.67(E), Sidewalks, Spring Lake Subdivision Chapter]
15. For any new development, an adequate drainage system must be installed by the developer in accordance with good engineering practices and all drainage ways must be kept clean and free of debris with the standards of the Town of Spring Lake, Section 155.66(G), Spring Lake Subdivision Chapter.
16. All utilities, except for 25kv or greater electrical lines, must be located underground.
17. The owner/developer shall completely secure with a fence and lockable gate, and maintain the detention/retention basins, keeping them clear of debris and taking measures for the prevention of insect and rodent infestation.
18. 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.
19. Turn lanes may be required by the NC Department of Transportation (NCDOT).
20. All lighting is required to be directed internally within this development.
21. All dumpsters shall be buffered by an opaque fence a minimum of one foot higher than the trash receptacle with a lockable fence as required by the Solid Waste Ordinance.
22. All required off-street parking spaces shall be a minimum of 8 1/2' x 20'. A minimum of 528 off-street parking spaces are required for this development (584 off-street spaces shown on the site plan). (Section 156.101, Off-street parking requirements, Spring Lake Chapter.)

Advisories:

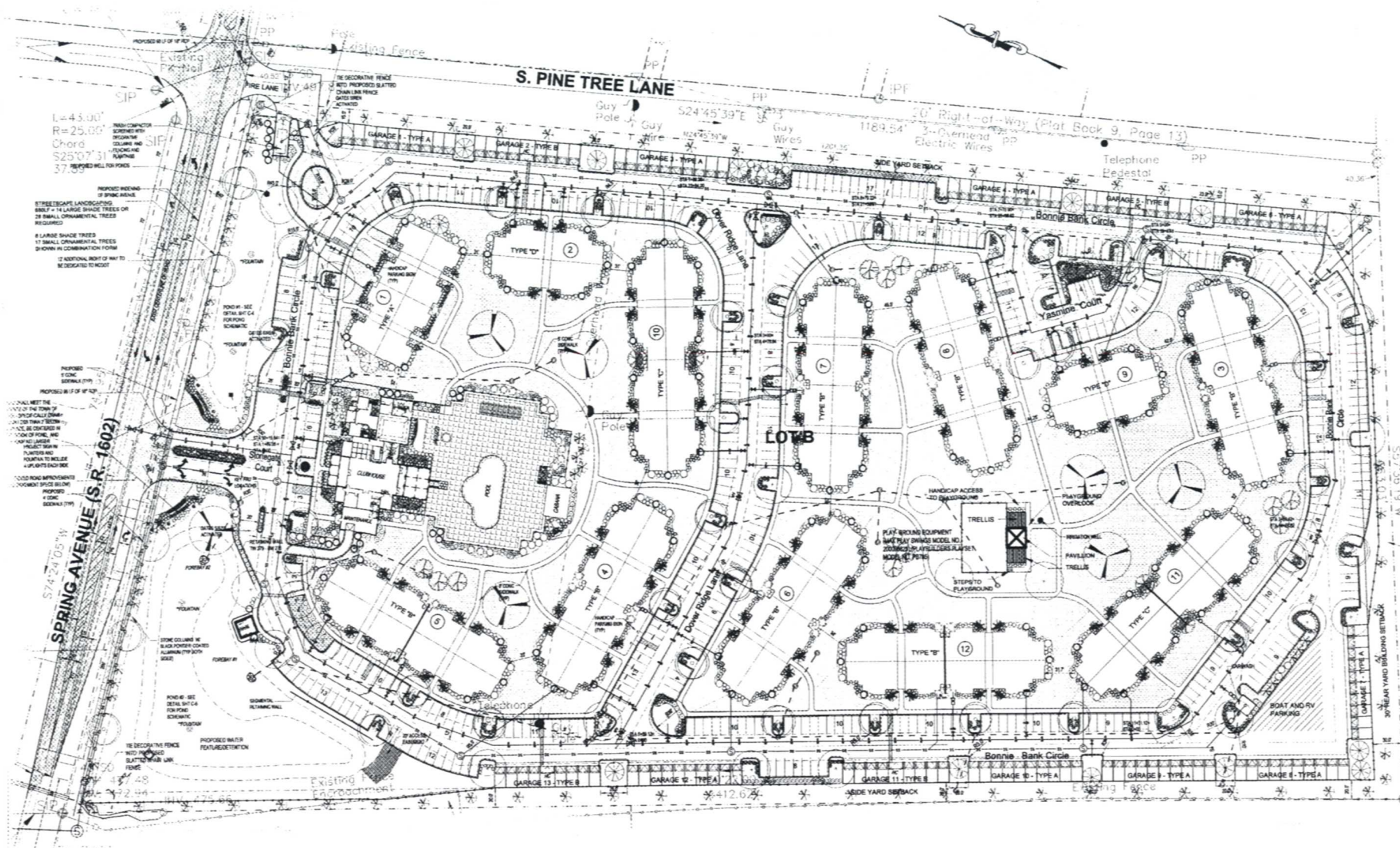
23. The applicant is advised to consult an expert on wetlands before proceeding with any development.
24. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.
25. The applicant (property owner) is advised that upon development (used for development) of the residual strip of land immediately adjacent to S. Pine Tree Ln, that developer most likely will have to improve and widen S. Pine Tree Ln (absorbing the "flag strip") in addition to providing a sidewalk.

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

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

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Town of Spring Lake:	Tom Spinks (Planning Director)	436-0241*
Corp of Engineers (wetlands):	Ronnie Smith	(910) 251-4829
NCDENR (E&S):	Sally McKinney	433-3300
E911 Site-Specific Address:	Ron Gonzales	678-7616
E911 Street Naming/Signs:	Diane Shelton	678-7665
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

*This is the main telephone number for the Town of Spring Lake; once connected, the caller will be directed to the various departments.



**STONE GATE AT SPRING LAKE APARTMENT
GROUP DEVELOPMENTS REVIEW
CASE: 09-104 ACREAGE: 20.50 +/-
ZONED: R5A SCALE: NTS**

*SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST



AERIAL PHOTO
CASE NO: 09-104



**STONE GATE AT SPRING LAKE APARTMENTS
GROUP DEVELOPMENT REVIEW
CASE NO. 09 - 104**



PIN(S): 0501-97-4543- & 0511-16-3204-
red by EMB - CCJPB
SEPTEMBER 21, 2009

Map not to scale

