

Town of Spring Lake

PENDING ZONING ORDINANCE TEXT AMENDMENT

P09-45

“Residential on Same Premises with Non-Residential Uses ”

CASE HEADING:

REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE CODE OF ORDINANCES, CHAPTER 156, ZONING CODE, AMENDING § 156.035, DISTRICT USE REGULATIONS, BY INSERTING A “P” (PERMITTED USE) IN THE USE MATRIX IN EACH NON-RESIDENTIAL DISTRICT [O&I, C-1, CB, HS(P), C(P), C-3, M1(P), M(P) AND M-2] COLUMN FOR “DWELLING, SINGLE-FAMILY” USES. (SPRING LAKE)

CURRENT MEETING INFORMATION:

Joint Planning Board Public Hearing, October 20, 2009, 6:55 pm, 2nd floor
Hearing Room, Historic Courthouse, 130 Gillespie Street, Fayetteville

ADDITIONAL INFORMATION:

The application for this text amendment was submitted by Mr. Ron Sutphin on behalf of Quality Oil Company, LLC; this proposed amendment was not initiated by the Town or County Planning Staff. Mr. Sutphin's request is to permit a house or other type of quarters (watchman or caretaker) to be constructed on the same property where a non-residential use/zoning is located.

A copy of the request is attached.

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE TOWN BOARD OF
ALDERMEN OF SPRING LAKE, NORTH CAROLINA:

I (We), the undersigned, hereby request that the following proposed amendment be considered by the Cumberland County Joint Planning Board and the Spring Lake Board of Aldermen for inclusion with the ZONING Ordinance of the Code of Ordinances of the Town of Spring Lake:

1. Applicable section(s) of ordinance proposed to be amended: ZONING ORDINANCE

SECTION 156.035

2. Proposed text amendment:

Quality Oil Company, LLC – a Winston Salem, North Carolina, based company – is proposing to develop a retail gasoline facility inside the corporate limits of Spring Lake, North Carolina. The purpose of this facility will be to provide our customers with two specific items: gasoline and tobacco products.

This corporate-managed facility – referred to as a Quality Plus – is one of two types of retail gasoline outlets in the Quality Oil family. The Quality Plus design was first developed in Danville, Virginia, in 1972. Since that time we have developed 46 other like locations and currently have two in the construction phase in Olivia, North Carolina and Timberlake, North Carolina. Some of our other locations for the Quality Plus brand in North Carolina include: Boone, Lillington, Cherokee, Mount Airy, Winston Salem, Nags Head, Kannapolis, and Asheville.

The Spring Lake Quality Plus will have the normal appearance of a gasoline facility including five (5) pump islands and a lighted canopy. The on-site building will be approximately 950 square feet of stick built structure. The 950 square feet will be divided into two separate compartments. A sales area, or control room, will make up approximately 150 square feet while the remaining 800 square feet will be used for a caretaker area that provides the on-site manager the ability to be at the premises on a 24-hour basis. (See attached drawing of floor plan and layout)

From a retail perspective, the Quality Plus design is distinctly unique from most other retail gasoline facilities. There is no inside sales area for a customer to enter the structure, but rather a large pay window much like a bank would use for customer transactions. The customer will have the option to purchase gasoline at the pump using a credit/debit card or they may pull up to the pay window and purchase their gasoline and tobacco products from the on-site manager.

In providing insight to the Quality Plus concept, we would like to petition the Cumberland County Joint Planning Board and the Town Board of Alderman of Spring Lake to consider a text amendment that would allow a caretaker use for the proposed property we currently have under contract located along Hwy 87 near the northern municipal boundary of Spring Lake. In recent years we have made similar proposals to many municipalities and have provided them the following text for consideration:

In zoning districts not otherwise permitting residential buildings, a watchman or caretaker may occupy a house or other quarters on the same premises where he or she is employed.

We would like to propose similar language in our request realizing that Spring Lake currently allows a residential use in a “mixed-use” building using a conditional use and permit process. Our text amendment request would also seek approval for the residence to be located on the main floor of the structure as indicated in the attached drawing. In addition we realize that additional requirements and conditions may be placed on this project by the governing body to ensure proper development.

Thank you for reviewing our request for a text amendment to the zoning ordinance. We look forward to your guidance while working on this project.