



CITY OF LUMBERTON

CITY COUNCIL

AGENDA • MAY 5, 2025

Regular Meeting

Council Chambers

6:00 PM

500 N Cedar St, Third Floor, Lumberton, NC
28358

Mayor Bruce W. Davis

Councilmember Leroy Rising, Precinct 1
Councilmember Melissa Robinson, Precinct 2
Councilmember John Carroll, Precinct 3
Councilmember Karen Higley, Precinct 4

Councilmember John Cantey, Precinct 5
Councilmember Alfred Douglas, Precinct 6
Councilmember Eric Chavis, Precinct 7
Councilmember Owen Thomas, Mayor Pro Tem

STAFF:

Wayne Horne, City Manager
Brandon Love, Deputy City Manager
Holt Moore, City Attorney
Laney Mitchell-McIntosh, City Clerk

I. Call to Order

- A. Invocation –
- B. Pledge of Allegiance –

II. Employee Recognition - Ms. Hattie B. Lewis - 25 years of service with Lumberton Police Department - Paul G. Valenti - 49 years of service as Chief Water Plant Operator

III. Proclamation - Treatment Court Month - Mayor/Councilman Thomas

IV. Public Comment Period: Dr. Renee Steele - Principal, W.H. Knuckles Elementary School - Ms. Jo Coe, Rowland Norment Elementary School - Ministers for Justice - Memorial Park

V. Public Hearings

- A. Habbab Najjar Special Use Permit 2105 W.5th St.-P7 - ArTriel Kirchner, Planning & Neighborhood Services
- B. Ryan Locklear Special Use Permit 328 E. 24th. St. - P3 - Request to table item until the June Council Meeting - - ArTriel Kirchner, Planning & Neighborhood Services
- C. Dannie Stewart SUP 328 Hood Rd.-ETJ - ArTriel Kirchner, Planning & Neighborhood Services

VI. Consent Agenda

- A. Ratify the Designation of \$750 to Lumberton Senior High School Teacher Appreciation Week as follows: P1 - \$150 P2 - \$150 P3 - \$200 P4 - \$150 and P7 - \$100 - Wayne Horne, City Council
- B. Ratify the CRF Request - "John P. Williamson Memorial Tournament" as follows: P1 - \$100 P2 - \$50 P3 - \$50 P4 - \$100 P6 - \$50 P7 - \$50 P8 - \$100 and \$100 from the Mayor's discretionary fund for a total of \$600.00. - Wayne Horne, City Manager
- C. Ratify the Designation of \$600 of CRF to Rowland Norment Elementary School for Teacher Appreciation Week as follows: P1 - \$100 P2 - \$50 P3 - \$100 P4 - \$100 P5 - \$50 P6 - \$100 P7 - \$50 and P8 - \$50 for a total of \$600.00. - Wayne Horne, City Manager
- D. Ratify the Naming of the Memorial Park to "Lumber River Memorial Park" - Brandon Love, City Manager

VII. Agenda Items

- A. (POD #3) Sub-Station #3 Circuit Relocation - Greg Prevatte`, Electric Utilities
- B. Permission to apply for and accept the Byrne JAG Grant for Law Enforcement Equipment - Michael McNeill, Police
- C. Main Street Lumberton Update - Sarah Ward, City Manager
- D. Adopt a Resolution Accepting the Funding Offer for the Lead Service Inventory Project (Phase 2) - Rob Armstrong, Public Works
- E. Recycled Concrete Debris Crushing - Rob Armstrong, Public Works
- F. Professional Services Amendment for the Rosewood Drive Drainage Project - Rob Armstrong, Public Works
- G. West Lumberton Floodgate Construction Bids - Rob Armstrong, Public Works
- H. 1st Street Drainage Improvements - Utility Pole Relocation - Rob Armstrong, Public Works
- I. Eric Chavis Rezoning Request 1322 Alamac Road-ETJ - ArTriel Kirchner, Planning & Neighborhood Services
- J. Gods Chosen Generation (SUP) Cemetery 44 Zach Drive- ETJ - ArTriel Kirchner, Planning & Neighborhood Services
- K. Tubbs Contiguous Annexation Emery Road - County - ArTriel Kirchner, Planning & Neighborhood Services
- L. The City of Lumberton/Tubbs Rezoning Emery Road - County - ArTriel Kirchner, Planning & Neighborhood Services

- M. The City of Lumberton Contiguous Annexation Emery Road - County - ArTriel Kirchner, Planning & Neighborhood Services
- N. The City of Lumberton Rezoning Emery Road - County - ArTriel Kirchner, Planning & Neighborhood Services
- O. Reimbursement Resolution for AMI Project - Hank Lewis, Finance
- P. Consideration of Whistleblower Policy - JAG Grant Requirement - Elaine Evans, City Attorney
- Q. Data Breach Policy - Requirement of JAG Grant - Elaine Evans, City Attorney
- R. Consideration of provision allowing chickens in City Code. - Councilwoman Higley, City Attorney
- S. Carolina Civic Center - May Change Orders - Brandon Love, City Manager
- T. Colors of Life Community Development Summer Day Camp - John Carroll, City Council
- U. Approve the designation of \$300 of CRF to the Lumberton Robeson County Chapter of Las Amigas Inc. for the Senior Brunch as part of the Juneteenth Celebration - Councilman Cantey, City Council
- V. Approve the designation of \$400.00 of Community Revitalization Funds to W.H. Knuckles Elementary School for the Positive Behavioral Intervention Support Program in Precinct 5 - Councilman John Cantey, City Council
- W. Approve the designation of \$400.00 of Community Revitalization Funds to Rowland Norment Elementary School for the Positive Behavioral Intervention Support Program in Precinct 6 - Councilman Douglas, City Council
- X. Request for Support to the Beta Nationals in Orlando from Precinct 7 - Eric Chavis, City Council
- Y. Designate \$2,500.00 of Community Revitalization Funds in Precinct 7 for the 911 - Community Day - Eric Chavis, City Council
- Z. Approve CRF for Community Day in Precinct 2 - Councilwoman Robinson, City Council

VIII. Adjournment

Lumberton City Council

Item: V.A.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 04/28/2025

Subject: Habbeb Najjar Special Use Permit 2105 W.5th St.-P7

Summary/Background of Subject Matter:

Habbeb Najjar is requesting a Special Use Permit for an electronic gaming center for property located at 2105 W. 5th Street P7.

Staff Recommendation:

The planning staff recommends that the City Council hold tonight's public hearing and deny this request based on the fact that the operation will not meet the requirements outlined in Section 35-166.5 of the Code of the City of Lumberton.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. Habbeb 2105 W 5th St PB application et al

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
CITY OF LUMBERTON, NORTH CAROLINA
APPLICATION FOR A SPECIAL USE PERMIT

7-191

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Special Use Permit as hereinafter described:

1. **Applicant:**

Owner:

Legal Name: HABBEB NIZAR NAJJAR

Legal Name: AMZ SS Properties, LLC.

Physical Address: 2105 W 5th St
Lumberton, NC 28358

Physical Address: 230 Kensington St
Lumberton NC 28358

Mailing Address: 2105 W 5th St
Lumberton, NC 28358

Mailing Address: 230 Kensington St
Lumberton NC 28358

Telephone: 818-270-5357

Telephone: 919 798 2237

Name of Business: mike gift shop

Business Address: 2105 W 5th St

EMAIL: habbeb.syria1993@gmail.com

Description of Property:

2. <u>2105 W 5th St</u>	<u>2415</u>	<u>0476</u>
(Address)	(Deed Book)	(Page)
<u>4</u>	<u>104</u>	<u>286</u>
(Map Book)	(Page)	(Frontage)
		<u>0.36 acres</u>
		(Area)

3. Tax Map Identification (parcel number): 3223 0200901

4. Proposed Use of Property: 6.160 Electronic gaming operation

5. Zoning District Designation of Property: B-4

6. Development Site Plan: See Appendix A of Land Use Ordinance.

7. Notice of Hearing: All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.

8. Supportive Information: At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. You should be ready to show the following relative to the proposed development:

- That it will not materially endanger the public health or safety; and
- That it will not substantially injure the value of adjoining or abutting property; and
- That it will be in harmony with the area in which it is to be located; and
- That it will be in general conformity with the Land Use Plan Thoroughfare Plan, or other plan officially adopted by the City.

9. Application Fee: Submit the fee payment with application. The application fee is nonrefundable.

Trans. # 41326

File # 7.191

1 of 2

5/28/21

ADDRESS:

10. Briefly describe Applicants intended use of the property (Applicant must attach a detailed business plan, if applicable):

- Days/Hours operation: 8am - 10pm Monday through Saturday
- numbers of machines: 40
- licensed machines: Yes
- No Food cooked/served
- No Alcohol Allowed
- Parking lot light: yes
- SUFFICIENT PARKING: Yes
- operations meets the necessary requirements for distance away from prohibited areas.
- operation is open for access by All emergency personnel
- Permitted Age: 18+
- Full time Security onsite w/weapon (licensed) at all times.

11. Notarized Signatures:

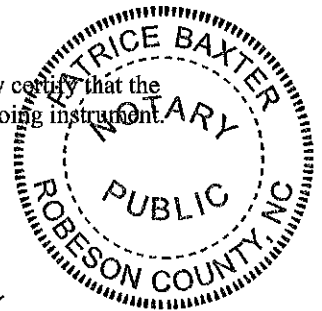
I certify that all of the information presented by the undersigned in this Application is accurate to the best of my knowledge, information and belief.

Applicant: HABIB NAJJAR 2105 W 5th St, Lumberton, NC
Name Physical Address
28358

Applicant: HABIB
Signature

STATE OF NC COUNTY OF Robeson

I, Patrice Baxter, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.



WITNESS my hand and Notarial Seal this 18th day of November, 2024

Patrice Baxter
Notary Public Signature

My Commission Expires: 11-18-2025

Owner: AMZEE Properties LLC 2105 W 5th St, Lumberton, NC,
Name Physical Address

Owner: AMZEE Properties LLC
Signature

STATE OF NC COUNTY OF Robeson

I, Patrice Baxter, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 18th day of November, 2024

Patrice Baxter
Notary Public Signature

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REQUIRED APPLICATION / APPEAL AND SPECIAL USE PERMIT APPENDIX FOR ELECTRONIC GAMING OPERATIONS

Under the Lumberton City code, Electronic Gaming Operations are allowed only Zones B-4, B-5 and B-7, and even then, only by a Special Use Permit. Further requirements and limitations are set forth in Code Section 35-166.5. Subsection (j) thereof makes an Electronic Gaming Operation impermissible within 1000 feet of certain other uses. If a proposed Electronic Gaming Operation fails to meet these or any other threshold requirements, staff will not accept an application for the required special use permit. A letter setting forth the basis for the refusal to accept the application will be provided upon request.

The following Certification is also required to be signed and notarized before any Electronic Gaming Operation Special Use Permit application or appeal will be accepted and processed:

CERTIFICATION

I, HABIB NIZAR NAJJAR, the undersigned applicant for an Electronic Gaming Operation Special Use Permit, or Appellant of an Electronic Gaming Operation-related issue, having been duly sworn, do hereby acknowledge that any false statement herein could be construed as perjury, and further certify that:

1. In addition to the above, the Electronic Gaming Operation for which I am applying, or to which the appeal pertains, is not in any way in contravention or violation of any aspect of Article 37 of Chapter 14 of the North Carolina General Statutes. HN (initial)

2. I understand that, while the City seeks the assurance set out in Paragraph 1, no action or inaction by the City with regard to an Electronic Gaming Operation Special Use Permit or appeal, shall be construed in any way as a conclusion

by the City that the facility is in compliance with Article 37 of Chapter 14 of the North Carolina General Statutes. I understand that it is not part of the City Special Use process to evaluate the facility for compliance with Chapter 14 (entitled "Criminal Law"), Article 37, of the NC General Statutes, which is, again, clearly a criminal matter. The enforcement of Article 37 of Chapter 14 of the NC General Statutes falls under the purview of Law Enforcement. HN (initial)

3. I further understand that despite any type of City acceptance of the application or appeal, processing of the same, or approval as for the special use process or appeal, city, county, and/or state law enforcement may investigate the subject facility and determine whether it is in violation of Article 37 of Chapter 14 of the North Carolina Statutes and may take any and all appropriate legal actions, including but not limited to confiscation of property and criminal prosecution, and I understand that in this regard I am proceeding completely at my own risk. HN (initial)

4. I acknowledge that I have been given the opportunity to consult with legal counsel prior to executing this Certification. HN (initial)

Notarized signatures:

APPLICANT: HABBEH NIZAR NAJJAR (print)

2105 W 5th St, Lumberton, NC 28358

Physical Address

Applicant signature: HABBEH

State of North Carolina

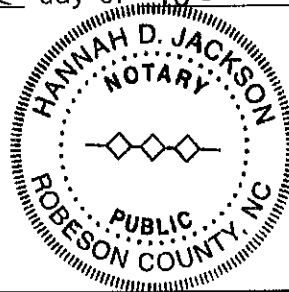
County of Robeson

I, Hannah D. Jackson, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared

before me this day, and was duly sworn, and duly acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 22 day of November, 2024.

Hannah D. Jackson
Notary Public Signature



My Commission Expires: 9-4-29

PROPERTY OWNER: AMZ ss Properties, LLC (print)
2105 W 5th St Lumberton (28358)
Physical Address

Property owner signature: AMZ

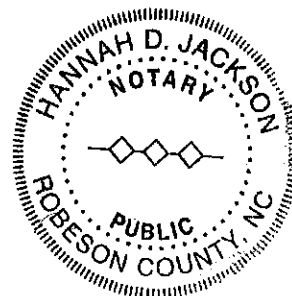
State of NC

County of Robeson

I, Hannah D. Jackson, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day, and was duly sworn, and duly acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 22 day of November, 2024.

Hannah D. Jackson
Notary Public Signature



My Commission Expires: 9-4-29

City of



Lumberton

Planning & Neighborhood Services

Authorization to appear before City Council/Planning Board/Board of Adjustment on the behalf of the property owner(s).

Application File No.: _____

Property address: 2105W 5th St. Parcel #: 32230200901

I, Amigos Properties, LLC. (property owner), give Dr./Mr./Ms. HABIB NIZAR NAJJAR the authority to appear before City Council/Planning Board/Board of Adjustment on my behalf.

Authorized Person (print/type full name): Abdelmounaim Zaimi

Signature: [Signature] (Authorized Person)

Authorized Actions: Appear before City Council/Planning Board/Board of Adjustment on property owner's behalf; Answer questions of the board(s) on property owner's behalf; Appear as the applicant.

1. The North Carolina State Bar has opined on more than one occasion, that non-lawyers representing someone else at a quasi-judicial hearing (such as variances and special use permits) constitutes the unauthorized practice of law (The City Attorney can provide copies of these opinions). Simply providing factual or expert testimony as a witness does not violate this rule.
2. If the applicant is not present and the representative does not have sufficient knowledge regarding the application to satisfy the Planning Board or Board of Adjustment, this may cause the request to the tabled or denied.

I, the undersigned, (owner of the above described property), do hereby acknowledge: (1) that I give authority to the authorized person listed above to appear before City Council/Planning Board/Board of Adjustment on my behalf, (2) that this authorization will not waive my rights as the property owner.

STATE OF NC COUNTY OF Robeson

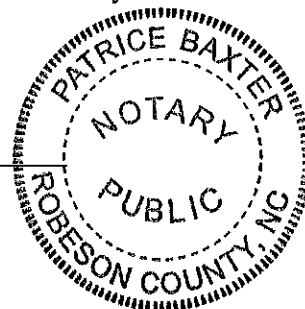
I, Patrice Baxter, a Notary Public in and for said County and

State, do hereby certify that Abdelmounaim Zaimi personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 18th day of November, 2024.

My Commission Expires: 11-18-2025

Patrice Baxter
Notary Public



Request for Special Use Permit
 7.191 Habbeb Najjar 2105 W.5th St.

PETITIONER(S):	OWNER(S):
Habbeb Nizar Najjar 2105 W. 5 th Street Lumberton, NC 28358 818-270-5357 habbeb.syria1993@gmail.com	AMZ55 PROPERTIES LLC 230 KENSINGTON ST LUMBERTON , NC 28358 919-798-2237

Special Use Permit Request: Habbeb Najjar is requesting a Special Use Permit for an electronic gaming center for property located at 2105 W. 5th Street P7.

LOCATION: 2105 W. 5th Street **PARCEL #**32230200901





Planning & Neighborhood Services

PROJECT OVERVIEW

PLANNING & ZONING

Parcel #(s)	Zoning	Width	Area		Limits of Construction
32230200901	B-4	~286'	~0.36 Acres	Floor area = 4,146 sq.ft. (Rob. Co. Tax)	~0.36 Acres Floor area = 4,146 sq.ft. (Rob. Co. Tax)

MINIMUM (MAX) SETBACK AND LOT SIZE REQUIREMENTS

Zoning District	Min. Square Footage	Min. Road Frontage	Min. Front Setback (right of way)	Min. Side Setback (no right of way)	Min. Rear Setback (no right of way)	Max. Height
B-4, Business General Commercial	No minimum	100'	40'	20'	20'	35'

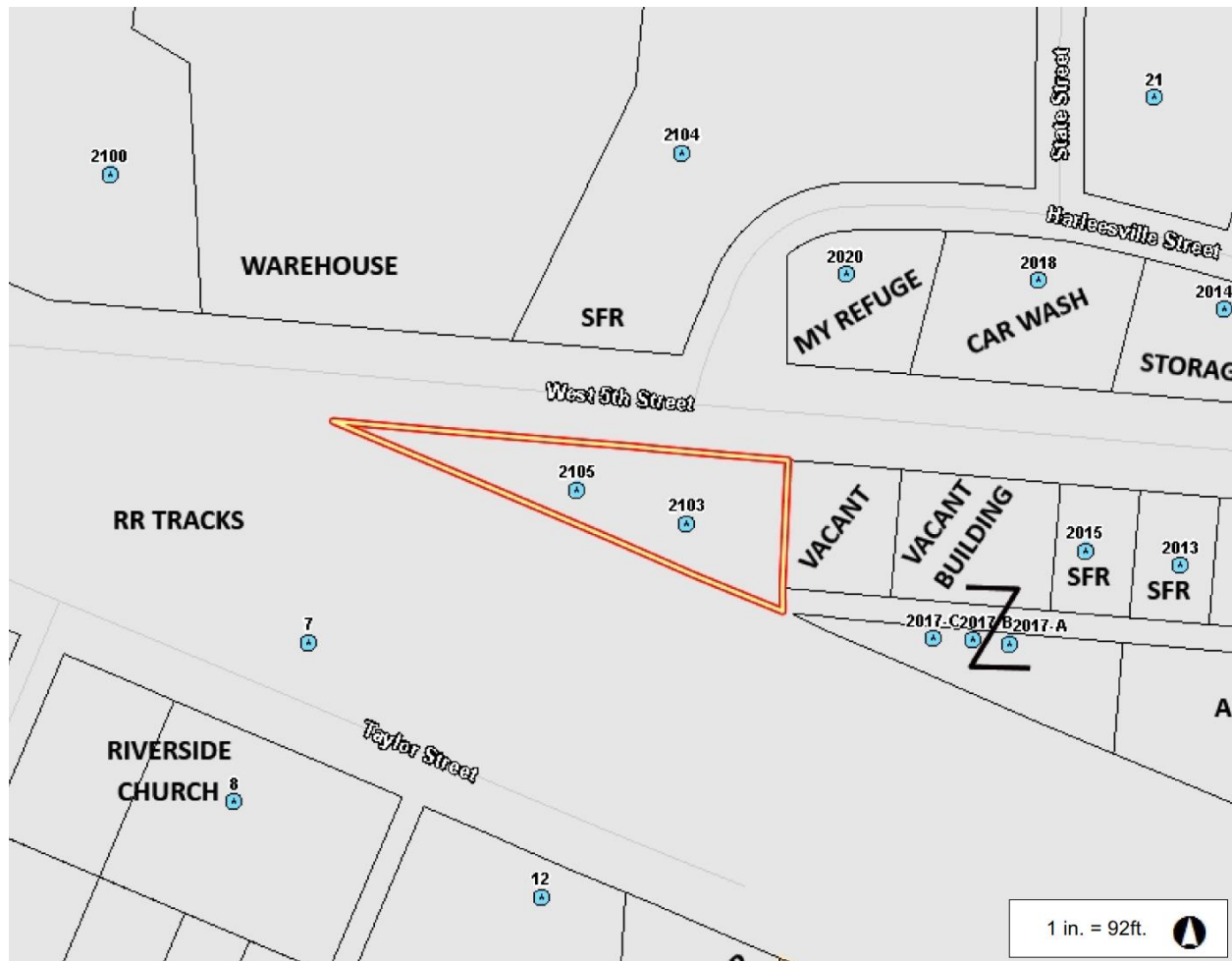
ADJACENT PROPERTY SITE DATA

	Zoning	Zoning Description	Land Use
Subject Property	B-4	Business General Commercial	Proposed Electronic Gaming Center
North	M-1 B-4	Light Manufacturing Residential Single-Family/Duplex Business General Commercial	STREET SINGLE-FAMILY RESIDENTIAL WAREHOUSE NON-PROFIT
South	N/A	N/A	RR TRACK
East	B-4	Business General Commercial	Vacant Lot
West	N/A	N/A	RR TRACK

City of *Lumberton*

Planning & Neighborhood Services

ADJACENT PROPERTY MAP

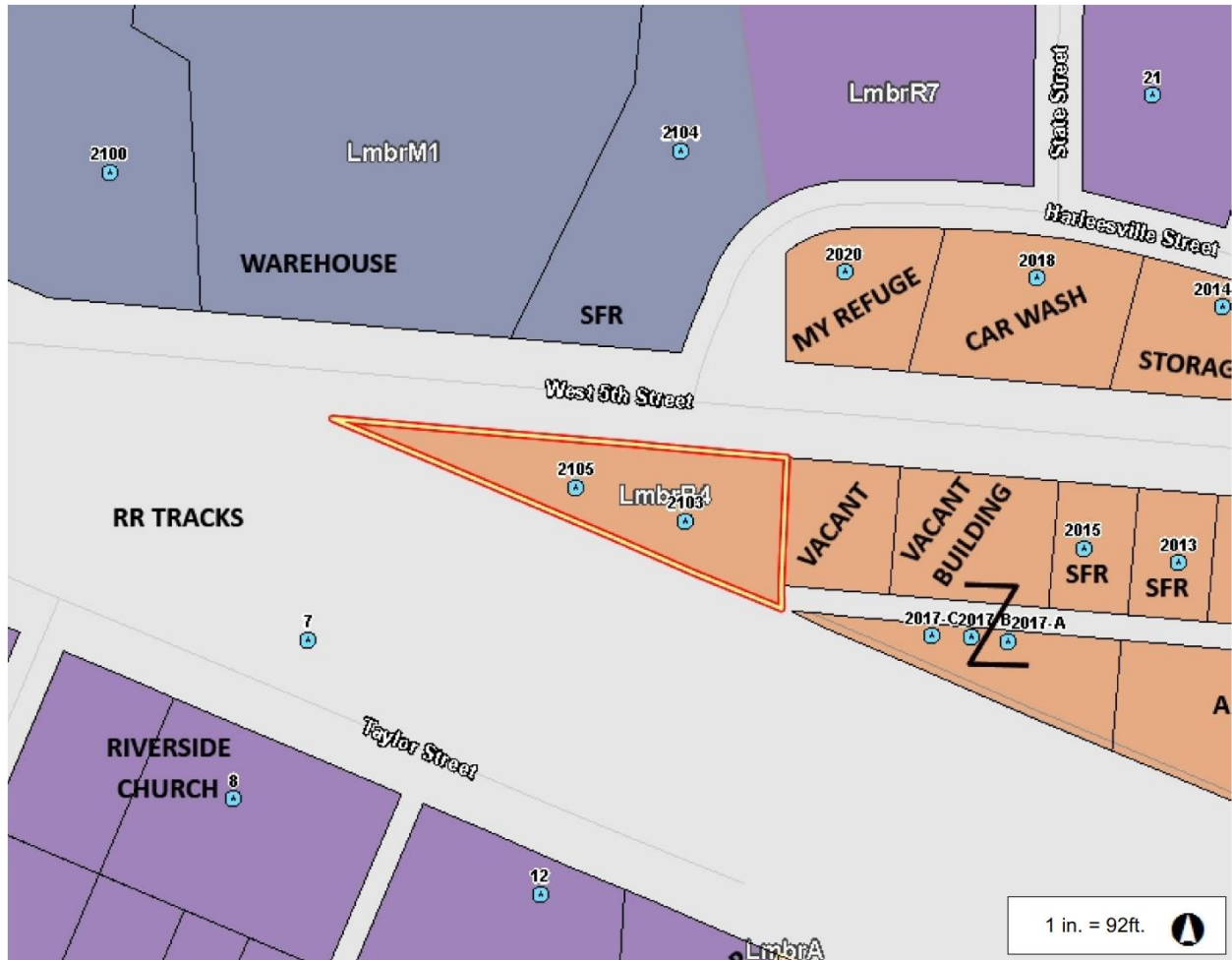


City of Lumberton

Planning & Neighborhood Services

EXISTING LOT INFORMATION: Current use of property – Non-permitted Gaming Center.

ZONING – B-4





Planning & Neighborhood Services

NON-COMPLIANCE WITH CITY CODE SECTION 35-166.5

Section 35-166.5(9):

- This location will not meet the required parking spaces of 24 spaces.

Section 35-166.5(10):

- This location is ~60 feet of residential use.
- This location is ~60 feet from a residential zoning district (R-7)/residential use.
- This location is ~ 204 feet from Riverside Church of God.
- This location is within ~ 655 feet from Luther Britt Park (City Park).

*****PLEASE SEE ATTACHED MAPS AND ORDINANCE*****

City of *Lumberton*

Planning & Neighborhood Services

Land Use Plan: Future use of the parcel is medium intensity and is located in precinct 7.



MEDIUM INTENSITY

The Medium Intensity land use category is intended to accommodate medium density residential development (up to 10 dwelling units / acre), including both single family residences and larger scale multi-family dwellings. This land use category is also intended to accommodate the use and development of land for medium intensity nonresidential uses, such as churches, schools, neighborhood scale retail, professional offices and similar uses when sited in a manner that does not negatively impact adjoining residential uses located within this or an adjacent lower intensity land use category. In general, these areas are intended to provide a transition between low and high intensity land uses, as well as to facilitate redevelopment in areas where increased density and/or intensity of use is desired.

City of Lumberton

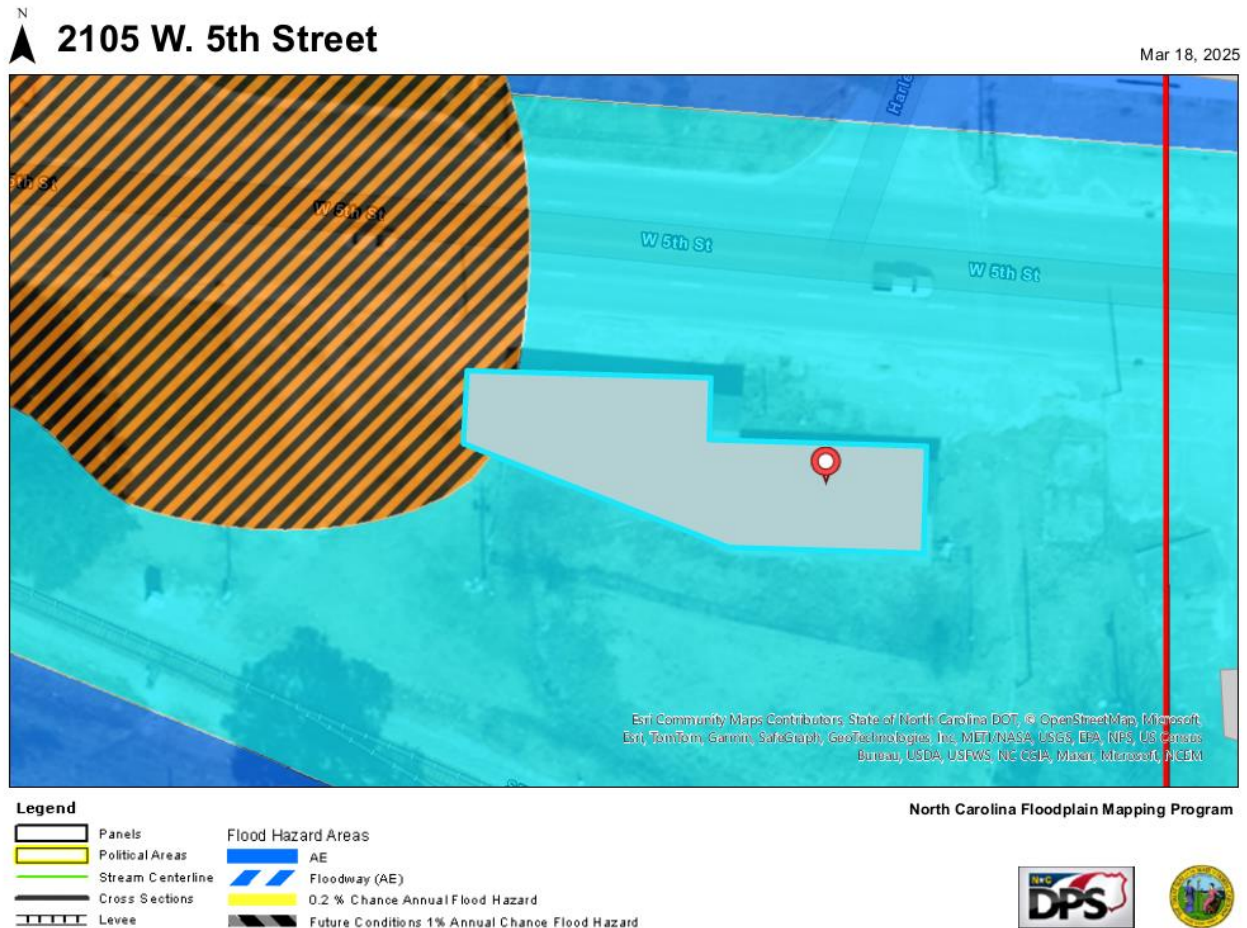
Planning & Neighborhood Services

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone AH 100-YEAR FLOOD (portion of building & property): Special Flood Hazard Area inundated by the 100-year flood; flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations are determined.. Mandatory flood insurance purchase requirements apply.

Zone X: (Protected by Levee) NOT IN 100-YEAR FLOOD (portion of building & property): Moderate flood hazard area protected by levee from the 1% annual chance flood.

Map Number: 3710938100K **Panel Effective Date:** 12/6/2019



DEVELOPMENT UPON APPROVAL

If the Special Use Permit is granted the applicant must submit site development plans to the City of Lumberton, and other applicable Federal and State Departments, for review and approval prior to development. All conditions of the Special Use Permit must be met prior to issuance of a Certificate of Occupancy.

PLANNING BOARD RECOMMENDATION TO COUNCIL

The Planning Board held a public meeting on April 15, 2025, and unanimously recommended that the City Council deny the Special Use Permit request.

PLANNING STAFF RECOMMENDATION TO COUNCIL

The planning staff recommends that the City Council hold tonight's public hearing and deny this request based on the fact that the operation will not meet the requirements outlined in Section 35-166.5 of the Code of the City of Lumberton.

Sec. 35-166.5 Electronic Gaming Operations

- (1) Any business desiring to operate as an Electronic Gaming Operation must obtain a special use permit. Special use permit for Electronic Gaming Operations can only be applied for in zoning districts B-4, B-5, and B-7.
- (2) The following will require a special use permit under this section:
 - a. The opening or commencement of an electronic gaming operation as a new business;
 - b. The conversion of an existing business, whether or not an electronic gaming operations, to any of the electronic gaming operations defined herein;
 - c. The addition of any of the features of one or more of the electronic gaming operation defined herein to an existing business;
 - d. The addition of any of the electronic gaming operations defined herein to any other existing electronic gaming operation; or
 - e. The relocation of any electronic gaming operation.
- (3) Days/Hours of operation: An Electronic Gaming Operation may operate from 8:00am until 10:00pm Monday thru Saturday, closed on Sundays. If the electronic gaming operation is an accessory use, the primary use may continue to operate during its normal business hours.
- (4) Number of machines/terminals/computer for any Electronic Gaming Operation: 1 unit per 50 sq.ft. of gross floor area designated for the Electronic Gaming Operation. The maximum number of machines/terminals/computer for any Electronic Gaming Operation is 40. Floor area = 4,146 (Rob. Co. Tax)
If approve maximum number of 40
- (5) The machines/terminals/computers used by an Electronic Gaming Operation must not be prohibited by state or federal law and must have all applicable permits and licenses.
- (6) If food or beverages are served by an Electronic Gaming Operation, the establishment must meet the requirements of the Robeson County Department of Health, and all state law requirements.
- (7) The consumption of alcoholic beverages on premises is prohibited unless the owner or operator has secured appropriate state alcoholic beverage permit(s).
- (8) Lighting shall be kept on the parking surfaces associated with an Electronic Gaming Operation during the hours of operation which are within sunset to sunrise.

- (9) An Electronic Gaming Operation must meet a parking requirement of one (1) space for every two hundred (200) square feet of gross floor area plus three (3) additional parking spaces.

Floor area = 4,146 SQ.FT. (Rob. Co. Tax)
Minimum required 21, will not meet

- (10) An Electronic Gaming Operation shall not be located within one thousand (1,000) linear feet of any:

(a) other Electronic Gaming Operation,

(b) residential zoning district, nearest residential zoning district ~60 feet

(c) single-family residence, nearest single-family residence ~60 feet

(d) church or place of worship, nearest church ~204 feet

(e) public or private daycare center,

(f) public or private school,

(g) government building,

(h) public park, playground, or library, nearest public park ~655 feet

(i) adult establishment,

(j) group care, facilities for the care of the aged or infirm, or congregate care facilities, or

(k) cemetery.

- The required separation from the above listed places applies whether a use indicated in (a) to (j) is the principal use or an accessory use of the property.
- Distances shall be measured from the closest point of a lot line of each of the two properties in question.

- (9) All Electronic Gaming Machines shall be open for direct, unobstructed access by police officers, fire department personnel, and emergency response personnel, and shall be visible from the main entrance of the involved Electronic Gaming Operation.

- (10) No Electronic Gaming Operation shall permit, allow, or condone the use of an Electronic Gaming Machine by any person under the age of 18.

- (11) A \$200.00 Civil Penalty per day per violation and/or a criminal misdemeanor, punishable as provided in G.S. 14-4, with a maximum fine of up to five hundred dollars (\$500.00) per day per violation may be issued for a violation of any part of this Ordinance. The penalty or fine may be imposed upon the owner, the operator, or both.

- (12) This section shall not apply to any lottery endorsed, approved, or sponsored by the State of North Carolina nor to arcade games of skill which don't involve the use of electronic machines.

(Ord. No. 2017.12.03, 12-6-2017)

2105 W. 5TH ST. DISTANCE MEASUREMENTS



Legend

- Site Address
- Road
- Parcel
- City Limit

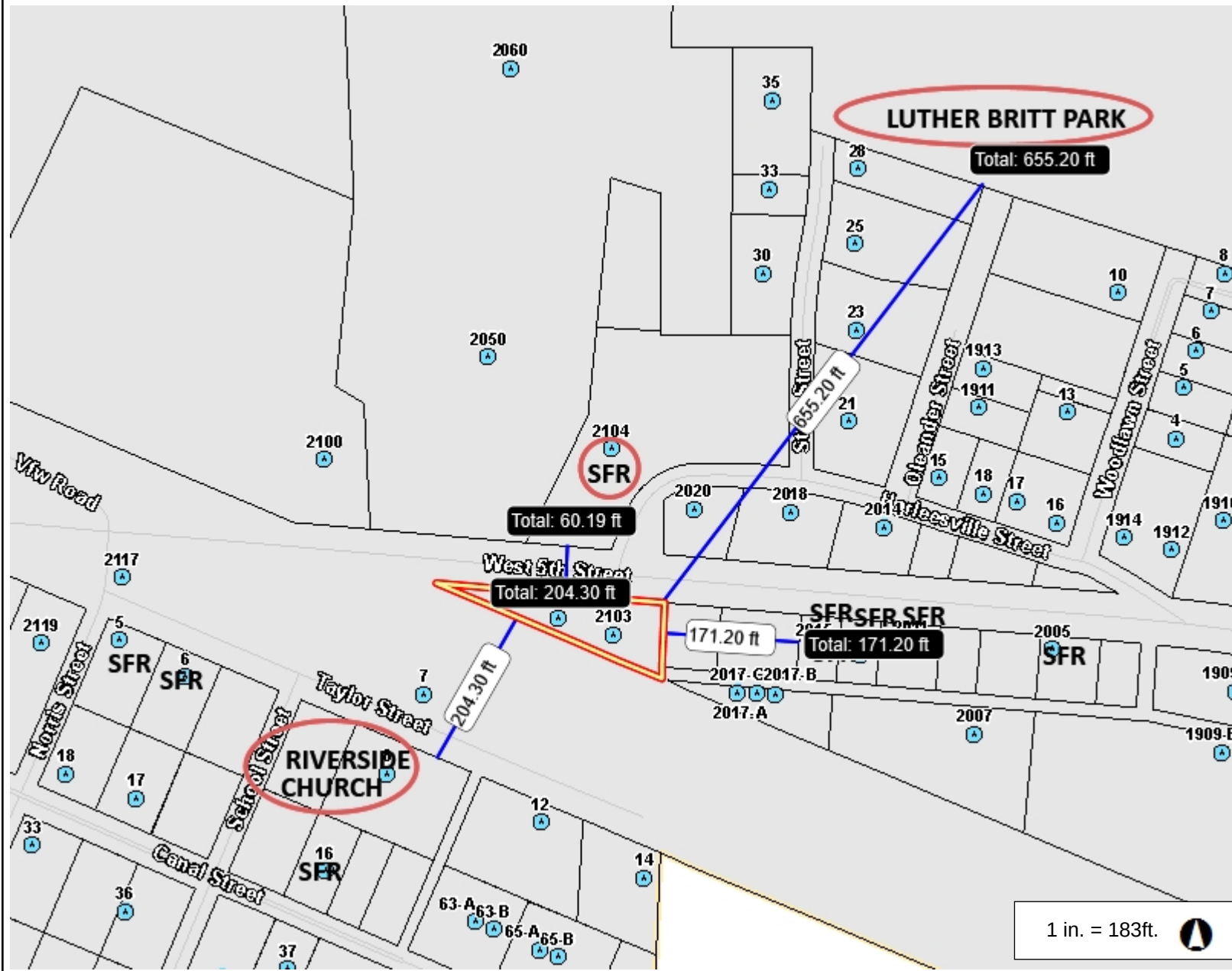
Notes

366.4 0 183.21 366.4 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

2105 W. 5TH ST. DISTANCE MEASUREMENTS



Legend

- Site Address
- Road
- Parcel
- City Limit
- City Limit Basemap

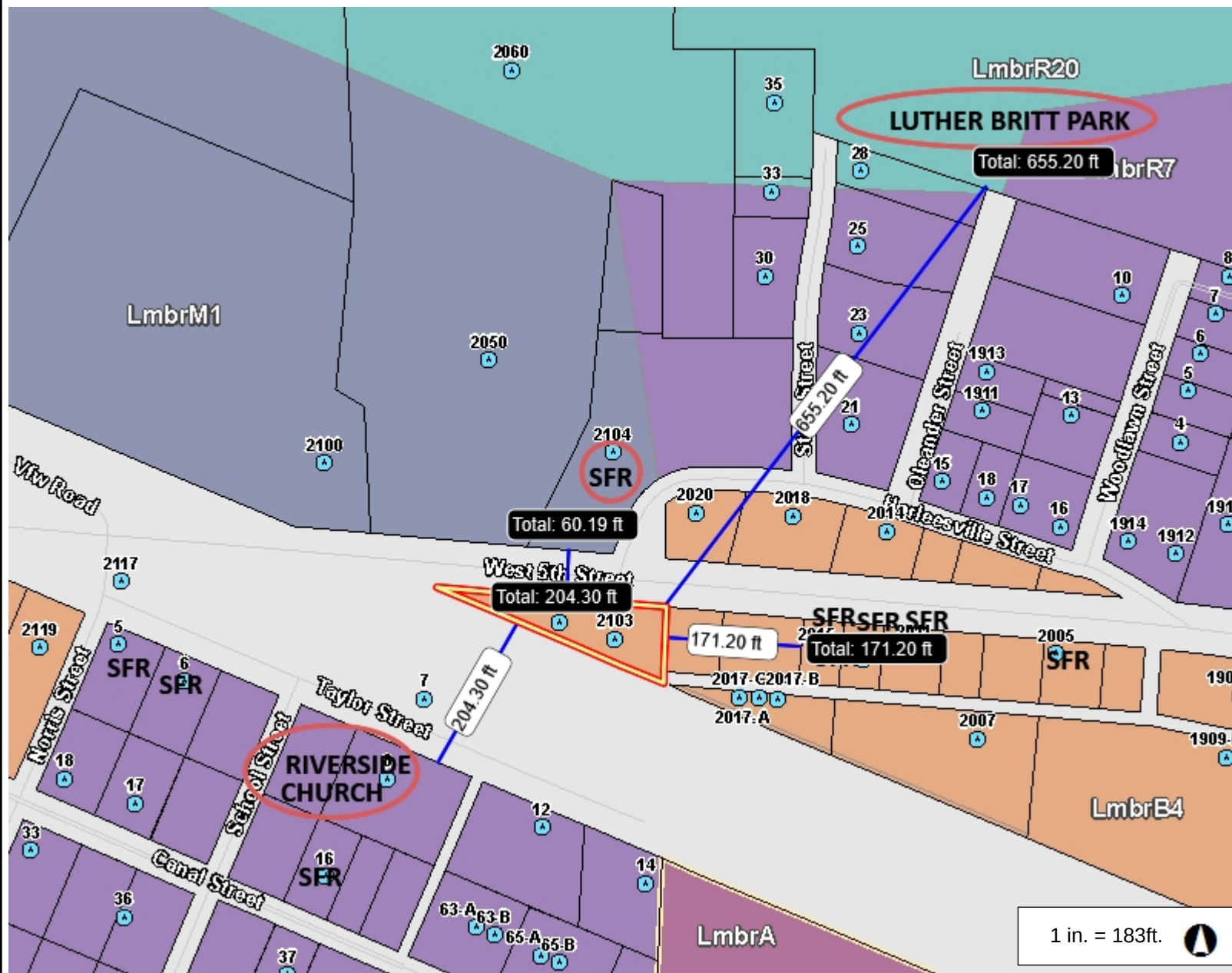
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

2105 W. 5TH ST. DISTANCE MEASUREMENTS



Legend

- Site Address
- Road
- Parcel
- City Limit
- Zoning
- CntyC1
- CntyH1
- CntyI2
- CntyR2
- CntyRA
- Lmbr CZ B3
- Lmbr CZ B4
- Lmbr CZ B6
- Lmbr CZ R6
- Lmbr SUP A
- Lmbr SUP B2
- Lmbr SUP B3
- Lmbr SUP B4
- Lmbr SUP R6
- LmbrA
- LmbrB1
- LmbrB2
- LmbrB3
- LmbrB4
- LmbrB5
- LmbrB6

Notes

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Lumberton City Council

Item: V.B.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 04/28/2025

Subject: Ryan Locklear Special Use Permit 328 E. 24th. St. - P3 - Request to table item until the June Council Meeting -

Summary/Background of Subject Matter:

Request to table item until the June Council Meeting - Ryan Locklear is requesting a Special Use Permit to extend his operating hours for his restaurant and arcade, located at 328 E. 24th. St. (parcel #32140100801), to 2:00 am on Fridays and Saturdays. His current operating hours are Mon. - Sat. 4 pm – 11 pm and Sunday 4 pm-10 pm. Restaurants with hours of operation, which includes the hours of 11:00 pm through 6:00 am, require a Special Use Permit.

Recommended additional conditions:

- Extend the hours of operation to 1:00 am
- No one over the age of 18 years permitted after 8:00 pm
- Must provide security until 1:00 am
- Provide a partition wall between the alcohol sales and the game center (previous condition)

Staff Recommendation:

The planning staff recommends that the City Council hold tonight's public hearing and approve this request with the above-mentioned conditions.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. Locklear Application PH
2. SUP Ordinance 2025
3. Request to table Item

**DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
CITY OF LUMBERTON, NORTH CAROLINA
APPLICATION FOR A SPECIAL USE PERMIT**

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Special Use Permit as hereinafter described:

1. Applicant:

Legal Name: Ryan Locklear

Physical Address: 328 E 24th St.

Lumberton, NC 28358

Mailing Address: 1619 Cabinet Shop Rd

Maxton, NC 28364

Telephone: (910) 733-2132

Name of Business: Retro City Arcade LLC

EMAIL: Retrocityarcadeshop@gmail.com

Owner:

Legal Name: Brad Martin for Dass Investors

Physical Address: 600-E Farmington St.

Lumberton, NC 28358

Mailing Address: same as above

Telephone: (910) 738-1466

Business Address: same as above

Description of Property:

2. 328 E 24th St.
(Address)

01767
(Deed Book)

0078
(Page)

(Map Book)

(Page)

155'
(Frontage)

28,830 sq. ft.
(Area)

3. Tax Map Identification (parcel number): 32140100801

4. Proposed Use of Property: Amusement arcade, Bar, Restaurant

5. Zoning District Designation of Property: B4

6. Development Site Plan: See Appendix A of Land Use Ordinance.

7. Notice of Hearing: All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.

8. Supportive Information: At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. You should be ready to show the following relative to the proposed development:

- a. That it will not materially endanger the public health or safety; and
- b. That it will not substantially injure the value of adjoining or abutting property; and
- c. That it will be in harmony with the area in which it is to be located; and
- d. That it will be in general conformity with the Land Use Plan Thoroughfare Plan, or other plan officially adopted by the City.

9. Application Fee: Submit the fee payment with application. The application fee is nonrefundable.

File # 7.190 1 of 2
5/28/21

ADDRESS:

10. Briefly describe Applicants intended use of the property (Applicant must attach a detailed business plan, if applicable):

I would like to extend my hours of operation until 2am on Friday and Saturday nights.

Current hours: Mon - Fri : 4pm - 11pm
Saturdays : 12pm - 11pm
Sundays : 3pm - 10pm

11. Notarized Signatures:

I certify that all of the information presented by the undersigned in this Application is accurate to the best of my knowledge, information and belief.

Applicant: Ryan Locklear 1619 Cabinet Shop rd, Maxton NC 28564
Name Physical Address

Applicant: Ryan Locklear
Signature

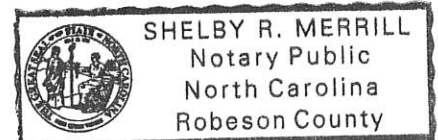
STATE OF North Carolina COUNTY OF Robeson

I, Shelby R. Merrill, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 21st day of February, 2025.

Shelby R. Merrill
Notary Public Signature

My Commission Expires: July 28, 2027



Owner: Brad Martin for Pass Investors 600 -E Farningdom St. Lumberton NC 28358
Name Physical Address

Owner: Pass Investors, LLC by BRAD MARTIN (Agent for Owner)
Signature

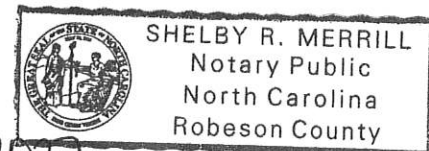
STATE OF North Carolina COUNTY OF Robeson

I, Shelby R. Merrill, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 21st day of February, 2025.

Shelby R. Merrill
Notary Public Signature

My Commission Expires: July 28, 2027



File # 7.190 2 of 2
5/28/21

City of *Lumberton*

Planning & Neighborhood Services

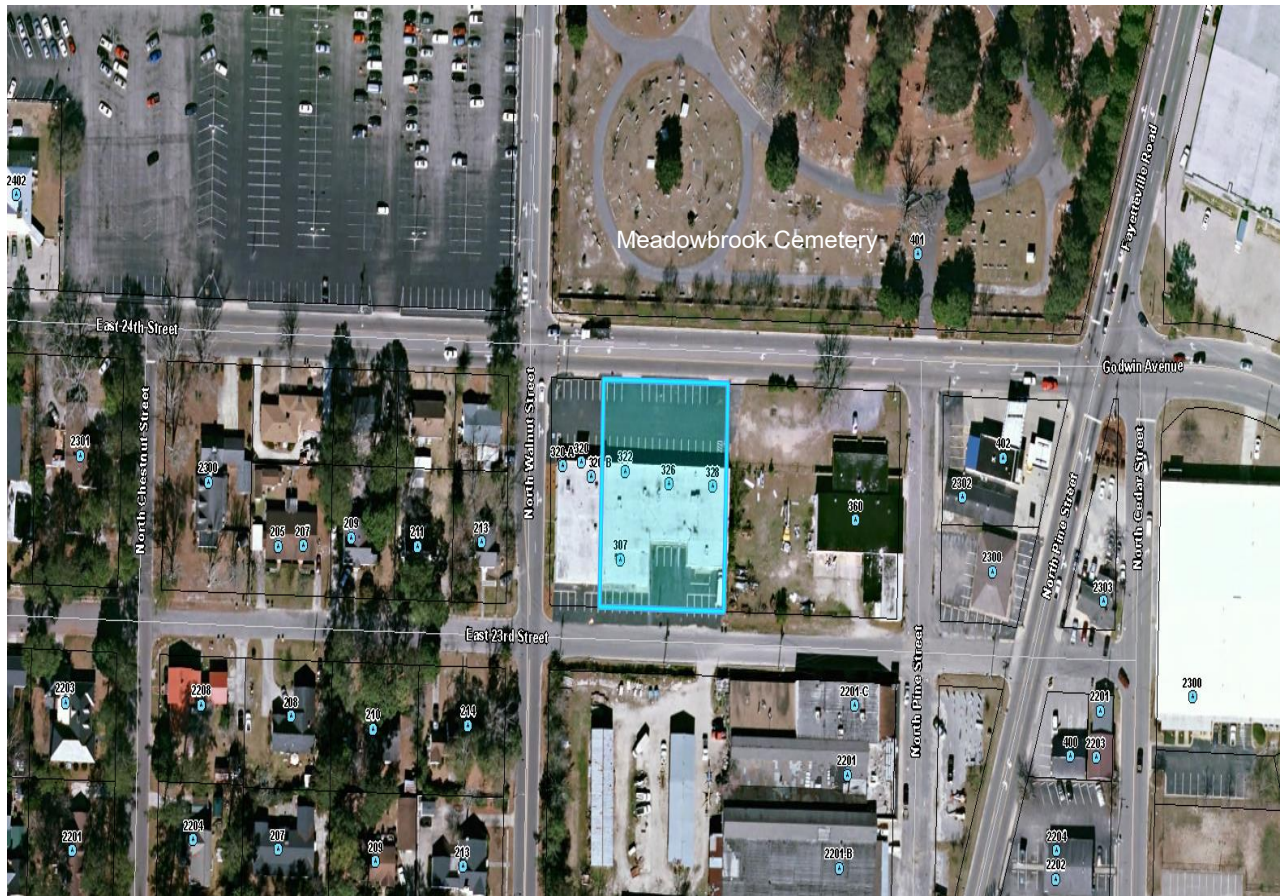
Request for Special Use Permit (SUP)

PETITIONER(S):	OWNER(S):
Name of Petitioner: Ryan Locklear	Name of Owner: Dass Investors Limited
Address: 1619 Cabinet Shop Rd	Address: 328 E. 24 th St.
City/State/Zip: Maxton, NC 28364	City/State/Zip: Lumberton, NC 28358
Mailing Address: 1619 Cabinet Shop Rd. Maxton, NC 28364	Mailing Address: 712 RoanTree Dr. Brentwood, TN 37027

SUP Request: Ryan Locklear is requesting a Special Use Permit for property located at 328 E. 24th St. Parcel #32140100801.

LOCATION:

328 E 24th St.



Zoning



PROJECT OVERVIEW

Analysis: Ryan Locklear is requesting a Special Use Permit to extend his operating hours for his restaurant and arcade, located at 328 E. 24th. St. (parcel #32140100801), to 2:00 am on Fridays and Saturdays. His current operating hours are Mon. - Sat. 4 pm – 11 pm and Sunday 4 pm-10 pm. Restaurants with hours of operation, which includes the hours of 11:00 pm through 6:00 am, require a Special Use Permit.

BACKGROUND:

City Council approved the Special Use Permit on October 9, 2023 to allow the arcade. During that time, his operating hours for the restaurant with accessory bar and arcade were Mon. - Sat., 4:00 pm to 11:00 pm and Sunday, 4:00 pm to 10:00 pm.

PLANNING & ZONING

Parcel #(s)	Zoning	Width	Area	Structure Area	
32140100801	B-4	155'	28,830 sq ft.	12,040 sq.ft. divided	

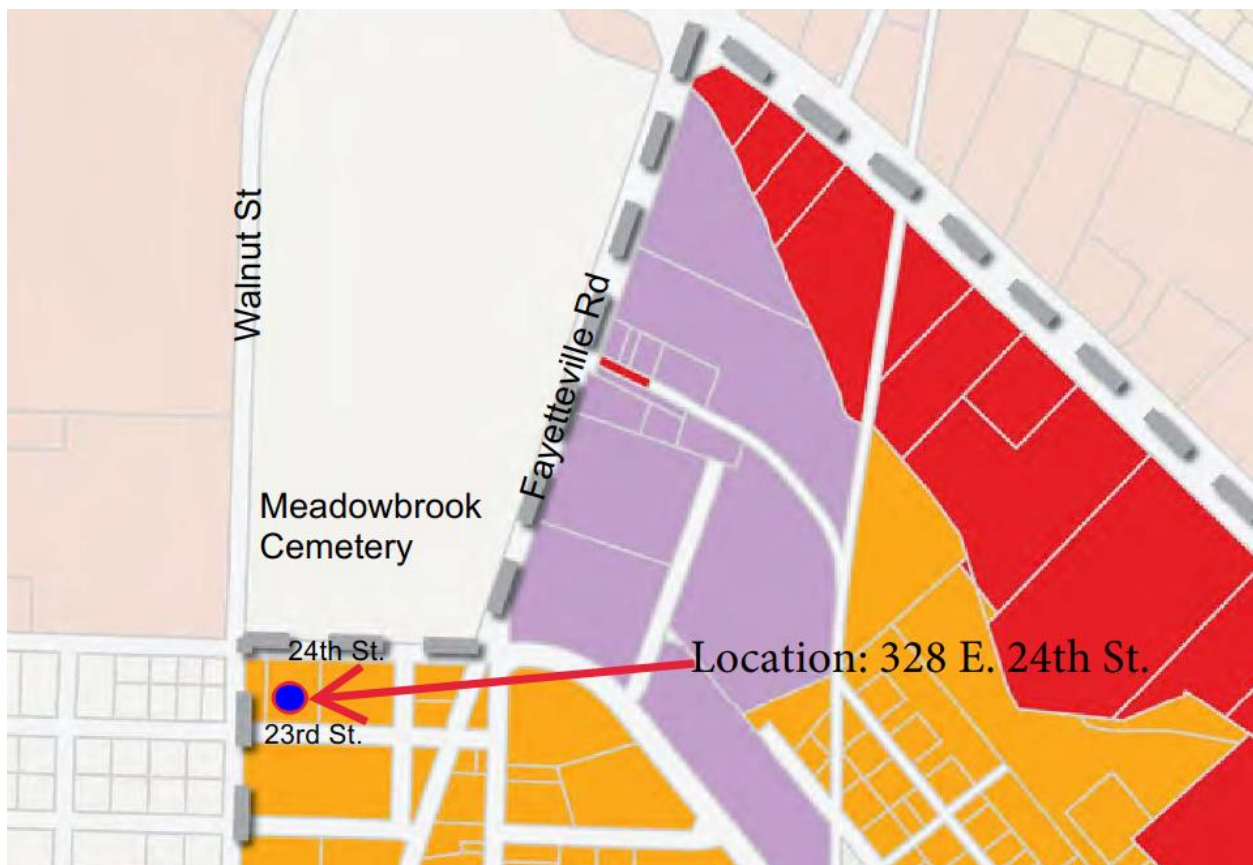
City of Lumberton

Planning & Neighborhood Services

ADJACENT PROPERTY SITE DATA

	<i>Zoning</i>	<i>Zoning Description</i>	<i>Land Use</i>
Subject Property	B-4	General Commercial	Restaurant with accessory bar and arcade
North	B-4	General Commercial	Cemetery
South	B-4	General Commercial	Retail/Storage
East	B-4	General Commercial Walnut St./R11	Retail Residential Single Family
West	B-4	General Commercial	Gas Station/Convenience Store

Land Use Plan: The parcel is currently zoned B-4 (General Commercial). The Land Use Plan designates the future use of the parcel as medium intensity and is located in precinct 3.





Planning & Neighborhood Services

MEDIUM INTENSITY

The Medium Intensity land use category is intended to accommodate medium density residential development (up to 10 dwelling units / acre), including both single family residences and larger scale multi-family dwellings. This land use category is also intended to accommodate the use and development of land for medium intensity nonresidential uses, such as churches, schools, neighborhood scale retail, professional offices and similar uses when sited in a manner that does not negatively impact adjoining residential uses located within this or an adjacent lower intensity land use category. In general, these areas are intended to provide a transition between low and high intensity land uses, as well as to facilitate redevelopment in areas where increased density and/or intensity of use is desired.

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone: Zone X is the flood insurance rate zone that corresponds to areas outside the 0.2% annual chance floodplain, areas within the 0.2% annual chance floodplain, and to areas of 1% annual chance flooding where average depths are less than 1 foot, areas of 1% annual chance flooding where the contributing drainage area is less than 1 square mile, and areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone.

Map Number: 3710939200K **Panel Effective Date:** 12/6/2019

DEVELOPMENT UPON APPROVAL

If this Special Use Permit is granted the applicant must submit site development plans to the City of Lumberton's Planning Department for approval. All conditions of the Special Use Permit must be addressed prior to the issuance of a Land Use Permit.

PLANNING STAFF RECOMMENDATION TO COUNCIL

CPC review the request, refer the petition to the April 15, 2025 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

Use Description	A	R-20	R-15	R-11	PR-11	R-7	R-6	R-3	B-1	B-2	B-3	B-4	B-5	B-6	B-7	M-1	M-2	M-3
8.250 Restaurant without carry-out/delivery/drive-in; with outdoor dining; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am									S			S	S		S			
8.300 Carry-out and delivery service, consumption outside fully enclosed structure allowed										Z		Z	Z		Z			
8.350 Restaurant with carry-out/delivery/outdoor dining; without drive-in service; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am												S	S		S			

RETURN: CITY OF LUMBERTON



NORTH CAROLINA

SPECIAL USE PERMIT

ROBESON COUNTY

APPLICANT: RYAN LOCKLEAR
 PROPERTY OWNER: DASS INVESTORS
 TAX MAP: 32140100801
 DEED REFERENCE: BK: 01767 PG 078
 PROPOSED USE: GAME CENTER
 MEETING DATE: OCTOBER 9, 2023

On the date listed above, the City Council of the City of Lumberton met to consider an application to issue a Special Use Permit for the aforelisted proposed use of property at the aforelisted property location.

Having heard all the evidence and argument presented at the hearing, the Council finds that the application is complete, that the application complies with all of the applicable requirements of the Lumberton Land Use Ordinance for the development proposed, and that, therefore, the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Lumberton Land Use Ordinance and the following conditions:

(1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Council, a copy of which is filed in the Planning and Neighborhood Services Department of the City of Lumberton, North Carolina.

(2) In granting the Special Use Permit, the Council has placed the following additional conditions or requirements upon the owner, his successors and assigns in exercising the rights granted herein:

PROVIDE A PARTITION WALL BETWEEN THE ALCOHOL SALES AND GAME CENTER

(3) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, this permit shall be void and of no effect.

Nothing authorized by the permit may be done until the property owner properly executes and returns to the City the attached acknowledgement of the issuance of this permit so that the City may have it recorded in the Robeson County Registry.

IN WITNESS WHEREOF, The City of Lumberton has caused this permit to be issued in its name, and the undersigned, being all of the property owners of the above-described property, do hereby accept this Special Use Permit, together with all its conditions, as binding on them and their successors in interest.



CITY OF LUMBERTON

 BY: Bruce W. Davis
 Bruce W. Davis, Mayor

ATTEST:

Laney Mitchell-McIntosh
 Laney Mitchell-McIntosh, City Clerk

The undersigned, being all of the owners of the above described property, do hereby acknowledge: (1) receipt of this Special Use Permit, (2) that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements, and (3) that this restriction shall be binding on them and their successors in interest.

Dass Investors by Agent Brad Martin
 Owner Name (print/type)

BRM (SEAL)
 Owner Signature

 STATE OF NORTH CAROLINA
 COUNTY OF Robeson

I, Anna B. Rowland, a Notary Public in and for said County and State, do hereby certify that Brad Martin personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

 WITNESS my hand and Notarial Seal this 20th day of November, 2023.

 My Commission Expires: July 20, 2023
Anna B. Rowland
 Notary Public

 ANNA B ROWLAND
 NOTARY PUBLIC
 Robeson County
 North Carolina
 My Commission Expires July 8, 2026

NORTH CAROLINA
ROBESON COUNTY

SPECIAL USE PERMIT

APPLICANT: RYAN LOCKLEAR
PROPERTY OWNER: DASS INVESTORS
TAX MAP: 32140100801
DEED REFERENCE: BK: 01767 PG 078
PROPOSED USE: GAME CENTER
MEETING DATE: May 5, 2025

On the date listed above, the City Council of the City of Lumberton met to consider an application to issue a Special Use Permit for the aforelisted proposed use of property at the aforelisted property location.

Having heard all the evidence and argument presented at the hearing, the Council finds that the application is complete, that the application complies with all of the applicable requirements of the Lumberton Land Use Ordinance for the development proposed, and that, therefore, the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Lumberton Land Use Ordinance and the following conditions:

(1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Council, a copy of which is filed in the Planning and Neighborhood Services Department of the City of Lumberton, North Carolina.

(2) In granting the Special Use Permit, the Council has placed the following additional conditions or requirements upon the owner, his successors and assigns in exercising the rights granted herein:

- EXTEND THE HOURS OF OPERATION TO 1:00 AM
- NO ONE OVER THE AGE OF 18 YEARS PERMITTED AFTER 8:00 PM
- MUST PROVIDE SECURITY UNTIL 1:00 AM
- PROVIDE A PARTITION WALL BETWEEN THE ALCOHOL SALES AND THE GAME CENTER (PREVIOUS CONDITION)

(3) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, this permit shall be void and of no effect.

Nothing authorized by the permit may be done until the property owner properly executes and returns to the City the attached acknowledgement of the issuance of this permit so that the City may have it recorded in the Robeson County Registry.

IN WITNESS WHEREOF, The City of Lumberton has caused this permit to be issued in its name, and the undersigned, being all of the property owners of the above-described property,

do hereby accept this Special Use Permit, together with all its conditions, as binding on them and their successors in interest.

CITY OF LUMBERTON

BY: _____
Bruce Davis, Mayor

ATTEST:

Laney Mitchell-McIntosh, City Clerk

The undersigned, being all of the owners of the above described property, do hereby acknowledge: (1) receipt of this Special Use Permit, (2) that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements, and (3) that this restriction shall be binding on them and their successors in interest.

Owner Name (print/type)

Owner Signature

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, a Notary Public in and for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notorial Seal this _____ day of _____, 200__.

Notary Public

My Commission Expires: _____.

Askew, ArTriel

From: Nolley, Brian
Sent: Tuesday, April 29, 2025 3:49 PM
To: Askew, ArTriel
Subject: FW: Table request - Ryan Locklear

Brian Nolley, MPA, CZO
Assistant Director of Planning & N.S.
PO BOX 1388
Lumberton, NC 28359
(910) 671-3977



From: Ryan Locklear <ryankeithlocklear@gmail.com>
Sent: Tuesday, April 22, 2025 10:36 AM
To: Nolley, Brian <bnolley@ci.lumberton.nc.us>
Cc: Askew, ArTriel <aaskew@ci.lumberton.nc.us>
Subject: Table request

Mr. Nolley,

I will not be able to attend the city council meeting on May 5th. I will be out of town for teacher's conference.

I am requesting to table the meeting until June. I will definitely be able to attend it at that time.

Thank you,

Ryan Locklear

Lumberton City Council

Item: V.C.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 04/28/2025

Subject: Dannie Stewart SUP 328 Hood Rd.-ETJ

Summary/Background of Subject Matter:

Dannie Stewart is requesting a Special Use Permit to construct a 1600 square feet accessory structure for property located at 328 Hood Rd. (parcel # 102006019/Deed Book 01059 Page 117).

Staff Recommendation:

The planning staff recommends that the City Council hold tonight's public hearing and approve this request.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. Stewart SUP Application and Attachments
2. SUP Ordinance 2025

**DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
CITY OF LUMBERTON, NORTH CAROLINA
APPLICATION FOR A SPECIAL USE PERMIT**

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Special Use Permit as hereinafter described:

1. Applicant:

Owner:

Legal Name: Dannie R. Stewart

Legal Name: Dannie R. Stewart

Physical Address: 328 Hood Rd. Lumberton, NC 28358

Physical Address: 328 Hood Rd. Lumberton, NC 28358

Mailing Address: 328 Hood Rd. Lumberton, NC 28358

Mailing Address: 328 Hood Rd. Lumberton, NC 28358

Telephone: 910-301-9989

Telephone: 910-301-9989

Name of Business: N/A

Business Address: N/A

EMAIL:

Description of Property:

2. 328 Hood Rd. Lumberton, NC 28358

01059

0690

(Address)

(Deed Book)

(Page)

21

117

140 ft.

42,000 sq. ft.

(Map Book)

(Page)

(Frontage)

(Area)

3. Tax Map Identification (parcel number): 102006019
4. Proposed Use of Property: Accessory Structure - garage building
5. Zoning District Designation of Property: R20
6. Development Site Plan: See Appendix A of Land Use Ordinance.
7. Notice of Hearing: All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.
8. Supportive Information: At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. You should be ready to show the following relative to the proposed development:
- That it will not materially endanger the public health or safety; and
 - That it will not substantially injure the value of adjoining or abutting property; and
 - That it will be in harmony with the area in which it is to be located; and
 - That it will be in general conformity with the Land Use Plan Thoroughfare Plan, or other plan officially adopted by the City.
9. Application Fee: Submit the fee payment with application. The application fee is nonrefundable.

File #

7.192

1 of 2

5/28/21

ADDRESS:

10. Briefly describe Applicants intended use of the property (Applicant must attach a detailed business plan, if applicable):

Requesting a special use permit to construct a 40' x 40' garage. City ordinance will only allow for a 745 sq. ft. accessory structure.

11. Notarized Signatures:

I certify that all of the information presented by the undersigned in this Application is accurate to the best of my knowledge, information and belief.

Applicant: DANNIE RAY STEWART 328 HOOD ROAD LOHREY N.C. 28358
Name Physical Address

Applicant: [Signature]
Signature

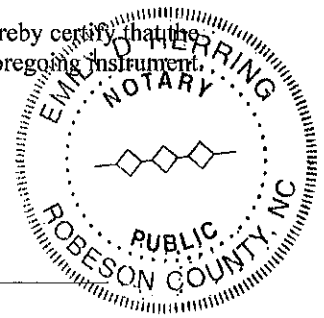
STATE OF NC COUNTY OF Robeson

I, Emily D Herring, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 28th day of March, 2020.

Emily D Herring
Notary Public Signature

My Commission Expires: 9-4-29



Owner: _____
Name Physical Address

Owner: _____
Signature

STATE OF _____ COUNTY OF _____

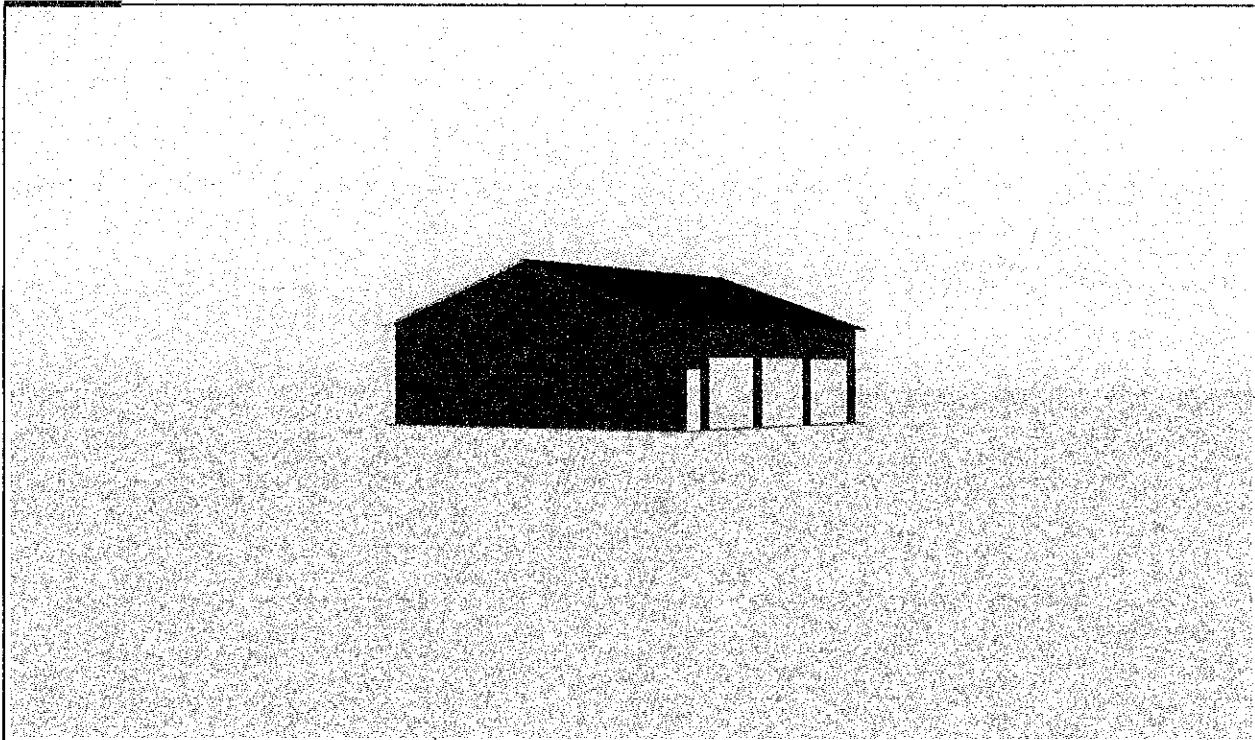
I, _____, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this _____ day of _____, 20____.

Notary Public Signature My Commission Expires: _____

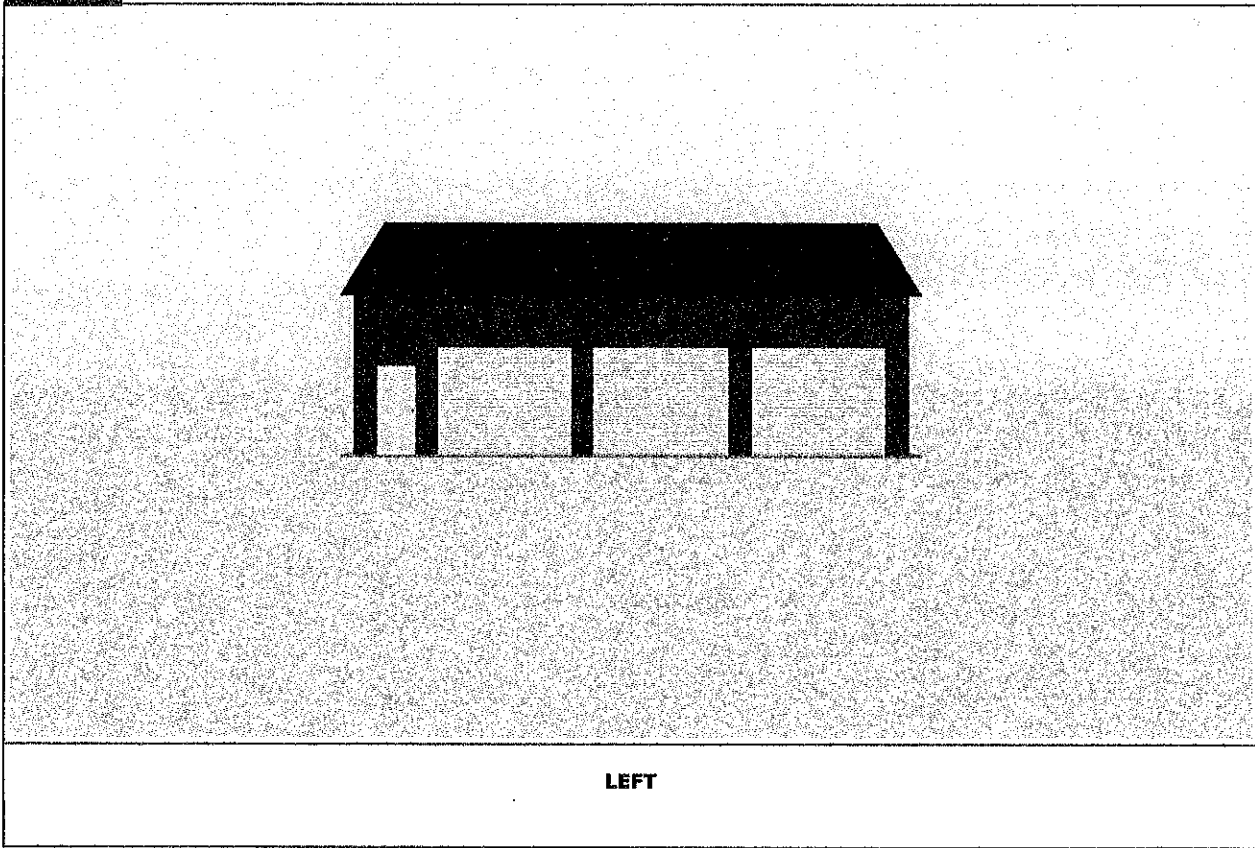
File # 7-192 2 of 2
5/28/21

BUILDING VIEW

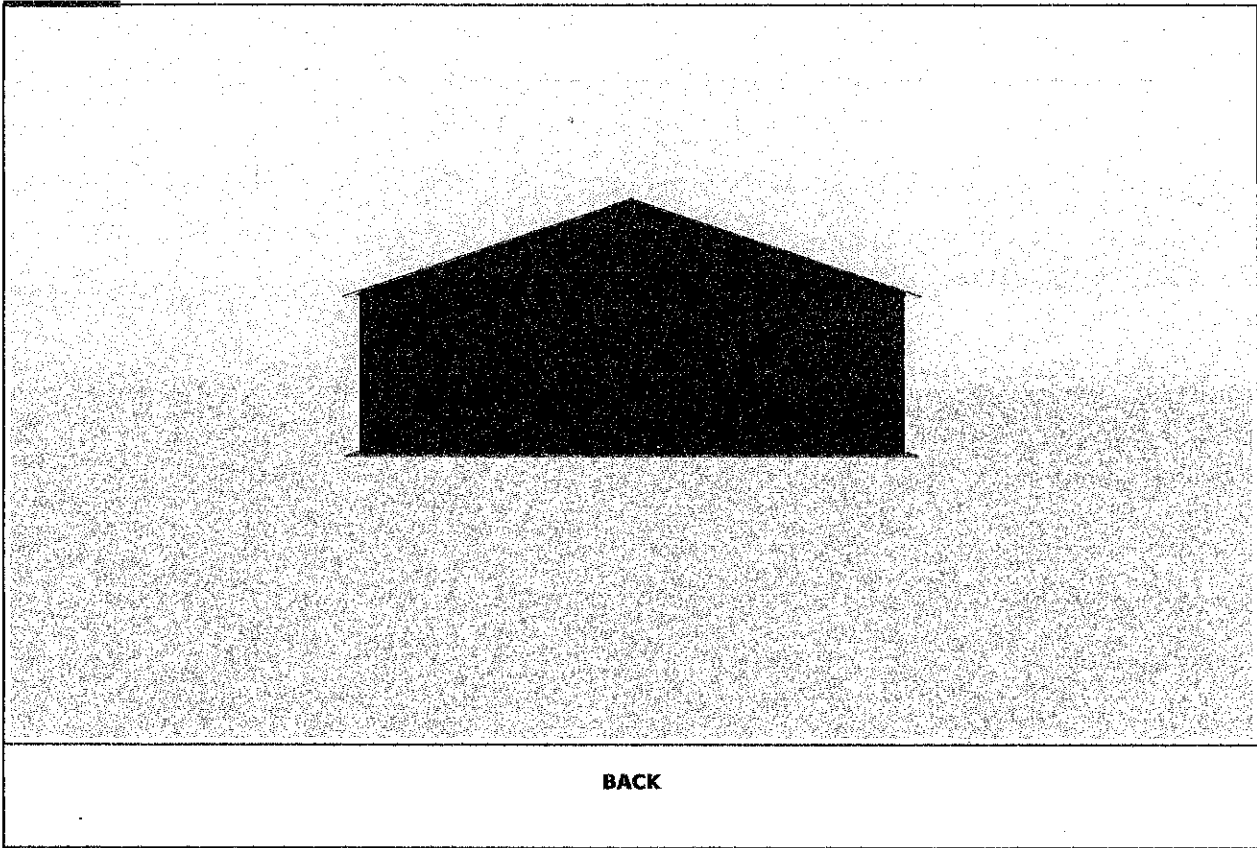


FRONT

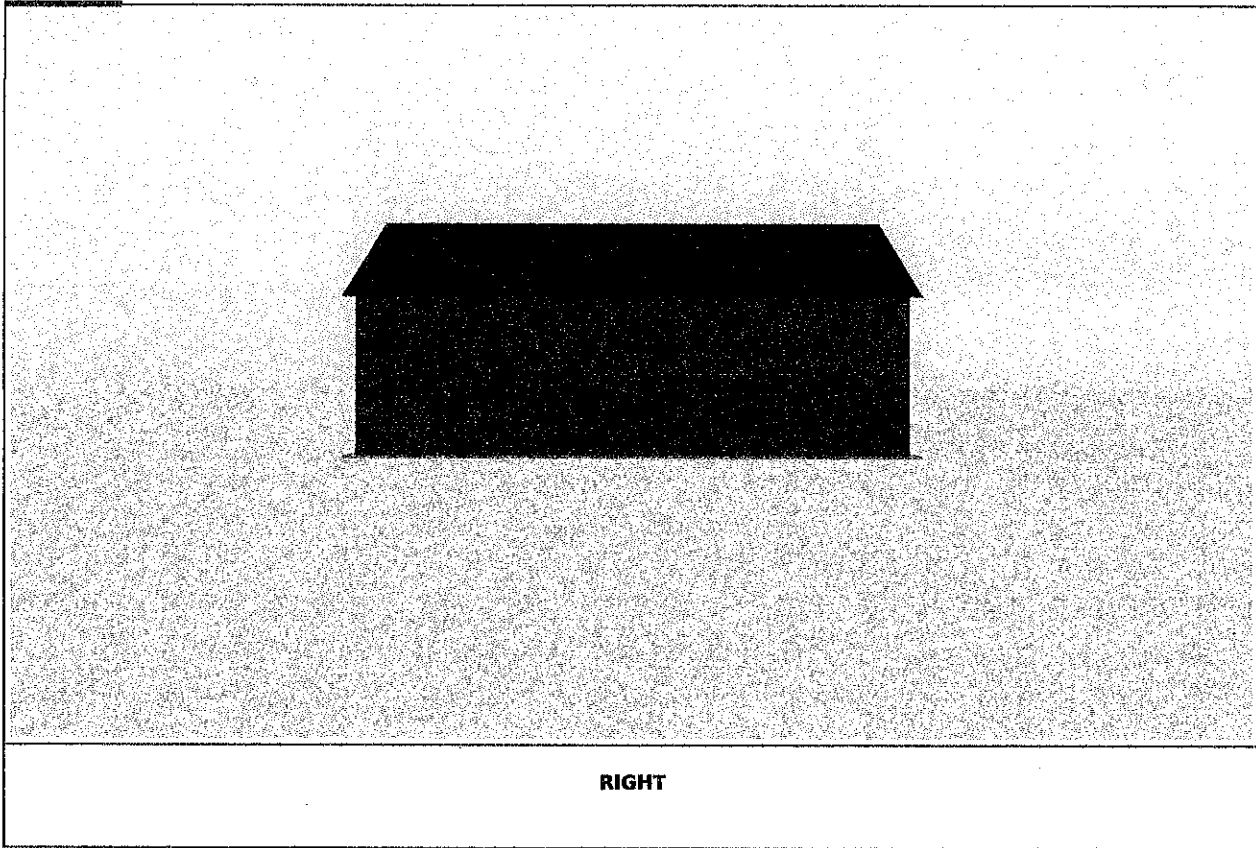
BUILDING VIEW

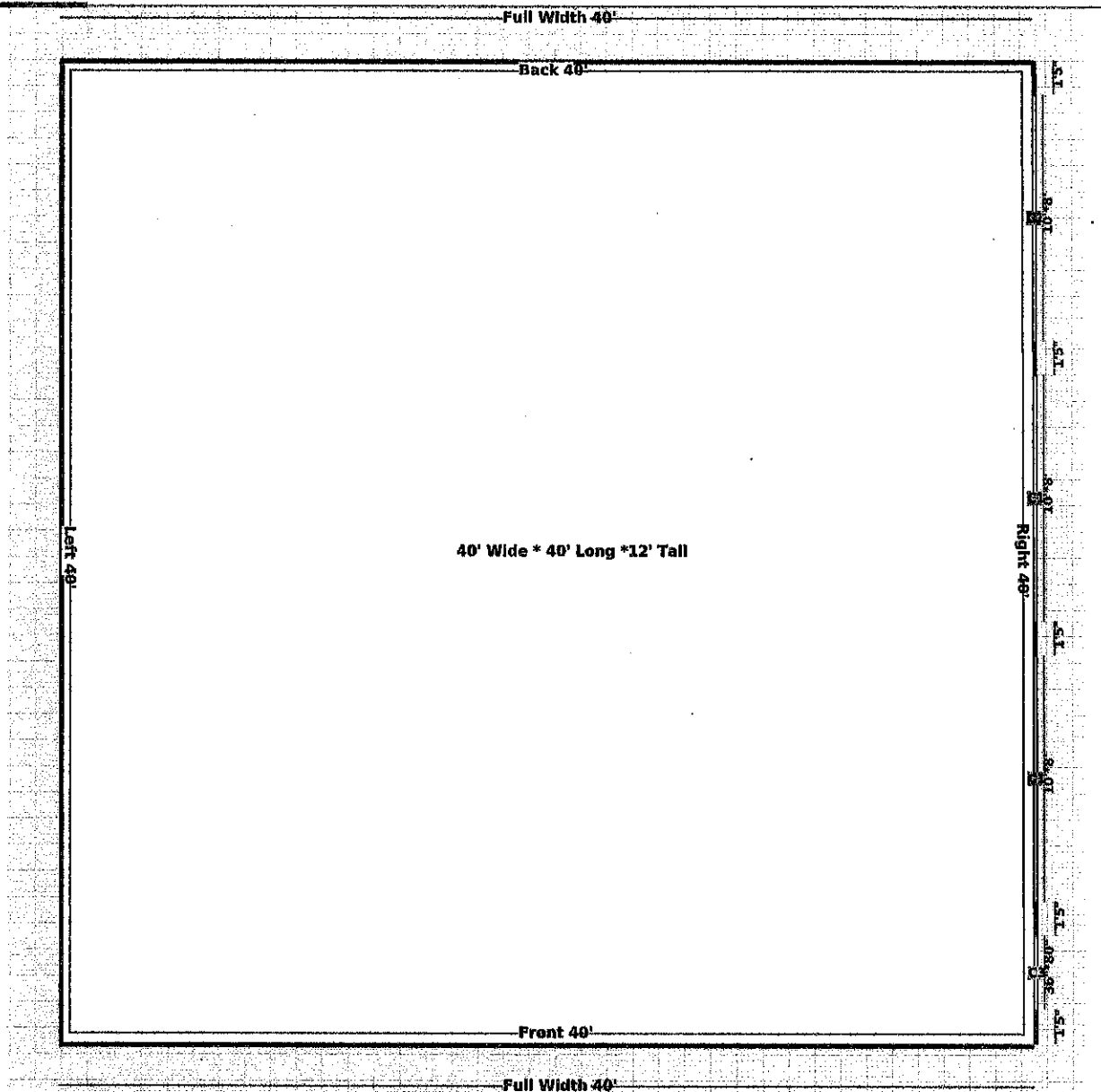


BUILDING VIEW



BUILDING VIEW

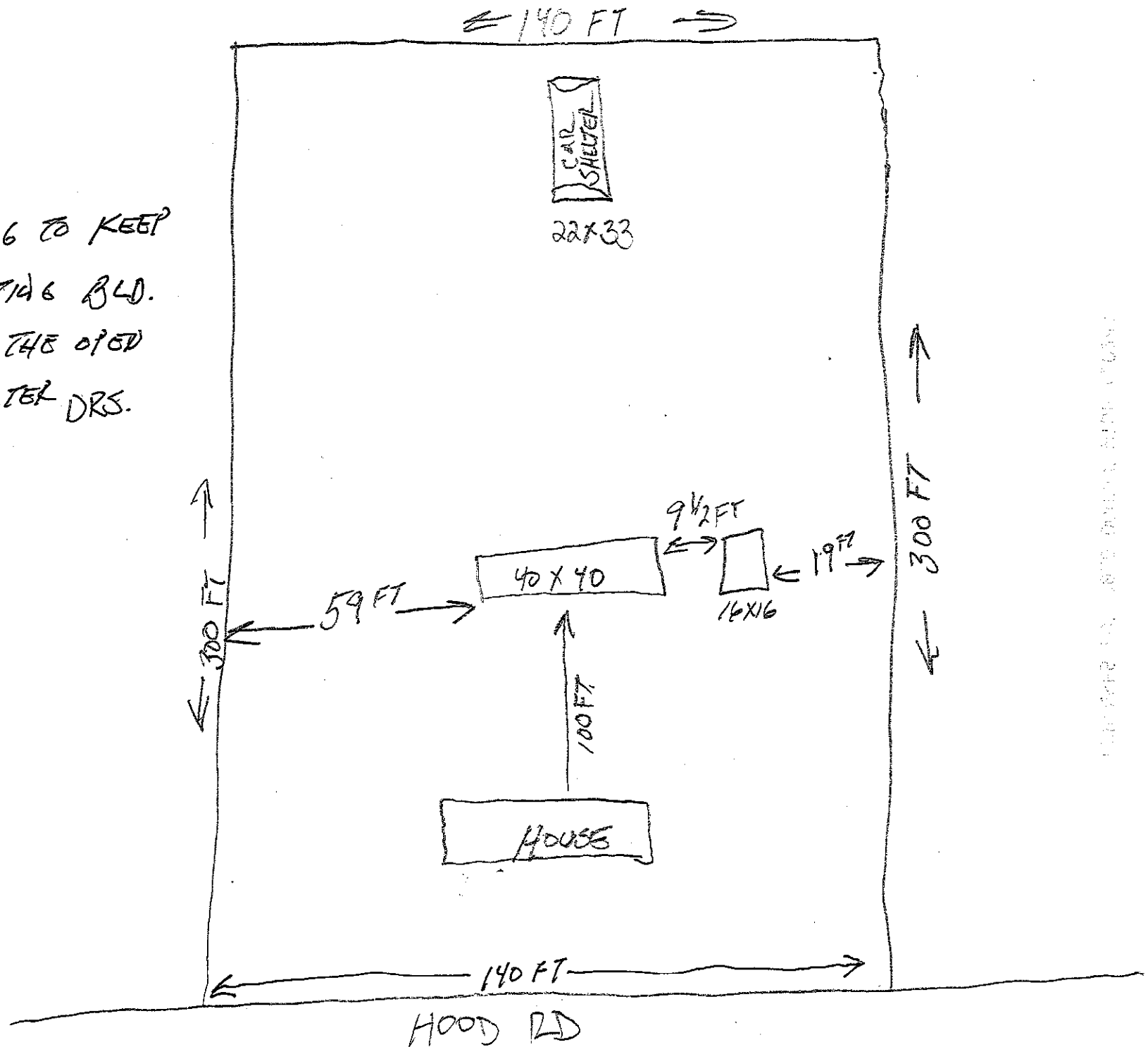




LEGENDS

- Garage Door
- Garage Door Frameout
- Walk In Door
- Walk In Door Frameout
- Windows
- Windows Frameout
- Open Wall
- Close Wall
- Distance
- Storage Length (Utility)
- Cupola

I'M GOING TO KEEP
THE EXISTING BLD.
16X16 AND THE OPEN
CAR SHELTER DRS.



**Leons Metal Structures, LLC**248 Garren Town Road
North Carolina 27205

leonsmetalstructures@gmail.com

(336) 241-2073

<https://www.leonsmetalstructures.com>**Sales: Aimee Dominguez**248 Garren Town Road
North Carolina 27205

aimee@leonsmetalstructures.com

Building Quote
QTE-002591Date
03/14/2025Total
\$22,684.00**CUSTOMER DETAILS****Danny Stewart**

Billing Address

Lumberton, Robeson, North Carolina 28358

Shipping Address

Lumberton, Robeson, North Carolina 28358

dannier5@yahoo.com

(910) 301-9989

Commercial Buildings-Risk II - 40 x 40 x 12

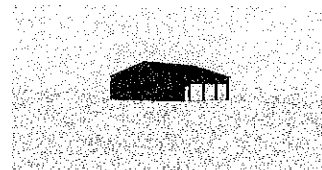
Roof Color: Black

Trim Color: Black

Slides/Ends Color: Charcoal

Door Color: High Gloss White

Wainscot Color: NA

Ready for Installation? ☐ Jobsite Level? ☐ Permit Required? ☒ Inside City Limit? ☐ Electricity Available? ☐ Installation Surface? ConcreteBuilding Dimension
40'W x 40'L x 12'HRoof Style
VerticalGauge
14 GaugeWind/Snow Rating
Built to Local CodeDistance on Center
4 Feet

40X40' (Roof 41') Vertical Roof	1
12' Height (Double Legs)	1
Built to Local Code	1
4/12' Roof Pitch	1
10x8 ft Garage Door (Roll-Up) on Right Wall (High Gloss White)	1
10x8 ft Garage Door (Roll-Up) on Right Wall (High Gloss White)	1
10x8 ft Garage Door (Roll-Up) on Right Wall (High Gloss White)	1
36x80 Inch Walk-In Door (Standard 6 Panel) on Right Wall	1
Roof Insulation Single Bubble	1
1' Overhang On Ends	1
1' Overhang On Slides	1
Colored Screws	1

NOTES

40x40 concrete pad, 4 inches thick, vapor barrier, smooth finish, 3000 psi, grading up to 4hrs, 12"x12" footers, #4 rebars included \$9,860 plus tax.*concrete price is NOT included in the total, must be paid on pour day. *customer must provide fill dirt on site. *IF COUNTY REQUIREMENTS DIFFER ON PLANS THAN WHAT IS STATED ABOVE, THERE WILL BE ADDITIONAL UPGRADING COST.

Building Amount:	\$21,200.00
Manufacturer Discount:	\$0.00
Sub Total:	\$21,200.00
Sales Tax (7%)	\$1,484.00
Additional Charges	\$0.00
Grand Total	\$22,684.00

Pay Now

Downpayment	\$6,360.00
Balance Due	\$16,324.00

309 Hood Rd

EXISTING STRUCTURES



Image capture: May 2023 © 2025 Google



City of



Lumberton

Planning & Neighborhood Services

Special Use Permit
Dannie Stewart SUP 328 Hood Rd-ETJ

Date of Application Submittal:

PETITIONER(S):	OWNER(S):
Name of Petitioner: Dannie Stewart 328 Hood Rd. Lumberton, NC 28358	Name of Owner: Dannie Stewart 328 Hood Rd. Lumberton, NC 28358
Special Use Permit Request: Dannie Stewart is requesting a Special Use Permit to construct a 1600 square feet accessory structure for property located at 328 Hood Rd. (parcel # 102006019/Deed Book 01059 Page 117).	

LOCATION:



City of Lumberton

Planning & Neighborhood Services



PARCEL INFORMATION				
Owner	Parcel #(s)	Zoning	Area	Limits of Construction
Dannie Stewart	102006019	R-20, Residential single-family	42,000 sq.ft.	42,000 sq.ft.
ADJACENT PROPERTY SITE DATA				
Subject Property	Zoning		Land Use	
Subject Property	- R-20, Residential single-family		- Single-family residential	
North	- R-20, Residential single-family		- Single-family residential	
South	- A, Agriculture		- Woods	
East	- R-20, Residential single-family		- Single-family residential	
West	- R-20, Residential single-family		- Single-family residential	

ADJACENT PROPERTY ACCESSORY STRUCTURE



STAFF ANALYSIS

PROJECT OVERVIEW

Analysis: Dannie Stewart is requesting a Special Use Permit to construct a 1600 square feet accessory structure for property located at 328 Hood Rd. (parcel # 102006019/Deed Book 01059 Page 117).

The maximum size of residential accessory structures is fifty (50) percent of the ground floor area of the principal building. A Special Use Permit is required to exceed the maximum size.

In this case, the principal building is 2,998 sq.ft. (Rob.Co. Tax) and the maximum size of all residential accessory structures is 1,490 square feet.

The total square feet of all accessory structures, including existing and proposed, will be 2,582. **1,092 square feet over the maximum allowance (includes a 726 sq.ft. open carport).** The maximum allowance for accessory structures shall include a total of all accessory structures on the property.



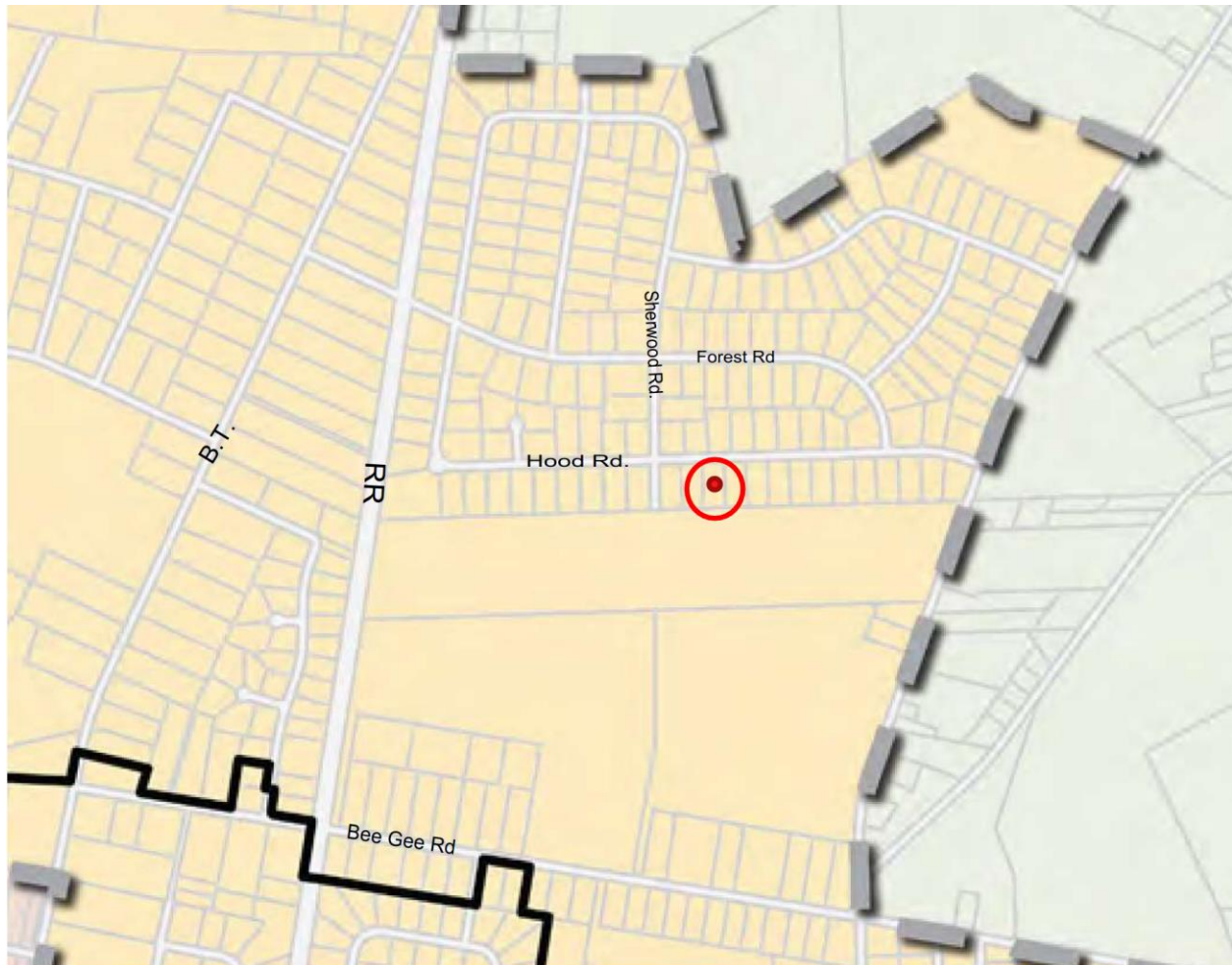
Planning & Neighborhood Services

PLANNING & ZONING

Land Use Plan: The Land Use Plan designates the future use of this parcel as Low Intensity, furthermore, this property is located within the ETJ.

Setback and Lot Size:

Zoning District	Min. Lot Size	Min. Lot Width	Min. Front Setback (right of way)	Min. Side & Rear Setbacks	Maximum Height
R-20	20,000	100'	30'	10'	35'



LOW INTENSITY

The Low Intensity land use category is intended to accommodate both the preservation and growth of low to medium density neighborhoods (4 to 6 dwelling units / acre) consisting primarily of single family residences, as well as small scale multi-family residential development, such as two and three family dwellings. While primarily residential in character, certain low impact nonresidential uses are appropriate for development within these areas, such as small churches, daycare centers, traditional home occupations and similar uses which will not conflict with the character of these areas when they are situated and developed in a manner that is consistent with an overall low intensity land use pattern.

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone X: Area of minimal risk and determined to be outside the 100 and 500-year floodplains.

Map Number: 3720030300K **Panel Effective Date:** 12/6/2019

DEVELOPMENT UPON APPROVAL

If this Special Use Permit is granted the applicant must submit site development plans to the City of Lumberton, and other Federal and State Departments, if applicable, for review and approval prior to development. All conditions of the Special Use Permit must be addressed prior to the issuance of a Land Use Permit and/or Certificate of Occupancy (CO).

PLANNING BOARD RECOMMENDATION TO COUNCIL

The Planning Board held a public meeting on April 15, 2025, and, with a 2-6 vote, recommended that the City Council approve the Special Use Permit request.

Against:

- Precinct 1 Gregg Caulder
- County Appointee Ray Britt

PLANNING STAFF RECOMMENDATION TO COUNCIL

The planning staff recommends that the City Council hold tonight's public hearing and approve this request.

NORTH CAROLINA

SPECIAL USE PERMIT

ROBESON COUNTY

APPLICANT: Dannie Stewart

PROPERTY OWNER: Dannie Stewart

TAX MAP: 102006019

DEED REFERENCE: Deed Book 01059 Page 117

PROPOSED USE: Construct a 1600 square feet accessory structure for property located at 328 Hood Rd {per Section 35-185(c) of the Land Use Code}.

MEETING DATE: May 5, 2025

On the date listed above, the City Council of the City of Lumberton met to consider an application to issue a Special Use Permit for the aforelisted proposed use of property at the aforelisted property location.

Having heard all the evidence and argument presented at the hearing, the Council finds that the application is complete, that the application complies with all of the applicable requirements of the Lumberton Land Use Ordinance for the development proposed, and that, therefore, the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Lumberton Land Use Ordinance and the following conditions:

(1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Council, a copy of which is filed in the Planning and Neighborhood Services Department of the City of Lumberton, North Carolina.

(2) In granting the Special Use Permit, the Council has placed the following additional conditions or requirements upon the owner, his successors and assigns in exercising the rights granted herein:

- NONE

(3) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, this permit shall be void and of no effect.

Nothing authorized by the permit may be done until the property owner properly executes and returns to the City the attached acknowledgement of the issuance of this permit so that the City may have it recorded in the Robeson County Registry.

IN WITNESS WHEREOF, The City of Lumberton has caused this permit to be issued in its name, and the undersigned, being all of the property owners of the above-described property, do hereby accept this Special Use Permit, together with all its conditions, as binding on them and their successors in interest.

CITY OF LUMBERTON

BY: _____
Bruce Davis, Mayor

ATTEST:

Laney Mitchell-McIntosh, City Clerk

The undersigned, being all of the owners of the above described property, do hereby acknowledge: (1) receipt of this Special Use Permit, (2) that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements, and (3) that this restriction shall be binding on them and their successors in interest.

Owner Name (print/type)

Owner Signature

(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, a Notary Public in and for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notorial Seal this _____ day of _____, 200____.

Notary Public

My Commission Expires: _____.

Lumberton City Council

Item: VI.A.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: City Council

Submission Date: 04/16/2025

Subject: Ratify the Designation of \$750 to Lumberton Senior High School Teacher Appreciation Week as follows: P1 - \$150 P2 - \$150 P3 - \$200 P4 - \$150 and P7 - \$100

Summary/Background of Subject Matter:

Ms. Whitfield, a teacher with Lumberton Senior High School, requested a \$500 donation for the 2025 Teacher Appreciation Week (please see the attachment as well as the information listed below). Councilman Carroll would like to contribute \$200 of CRF, along with Council members Rising and Robinson, who would like to contribute \$150 each. This event will take place the week of May 5th – 9th and the next Council is scheduled for May 5th.

Staff Recommendation:

Ratify the donation of \$750 of CRF to Lumberton Senior High School for Teacher Appreciation Week

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

1. (M)2025 Teacher App Donation Request Letter-LSHS



Lumberton High School

3901 Fayetteville Rd., Lumberton, NC 28358

Phone: 910-671-6050 Fax: 910-671-4399

www.robeson.k12.nc.us/lshs

Tax ID:56-6001104

Subject: Donation for Teacher Appreciation Week

The instructional leaders of Lumberton Senior High School are excited to announce our upcoming Teacher Appreciation Week, scheduled for May 5th-9th. During this special week, we honor the hard work and dedication of our teachers and support staff.

Each year, we celebrate by providing lunch and organizing gift card drawings. This year, we want to go even further in showing our teachers how much they mean to us. Our goal is to offer breakfast, lunch, and snacks throughout the week, along with a variety of gift card drawings, shirts, cups, and other prizes.

As a member of the LSHS instructional team, I feel incredibly fortunate to work alongside such a talented and devoted group of educators. Every teacher is an invaluable asset to our school, and we want to make sure they know how deeply they are appreciated.

We are reaching out to local businesses and city officials to ask for your support. Would you consider donating a monetary contribution of \$500 to help us honor our teachers? Your donation would make a significant impact and is truly appreciated.

If you're able to contribute, please contact the school at 910-671-6050 and ask for Mrs. Deahna Whitfield, or feel free to reach out to me directly at 910-734-1848. We are happy to arrange for pick-up or accept donations at the school. Additionally, we would love for you to join us for lunch during Teacher Appreciation Week to see firsthand the gratitude we are showering on our teachers.

Thank you for considering this opportunity to make our teachers feel truly valued. We hope to hear from you soon!

Warm regards,
Deahna Whitfield
Lead Teacher, LSHS

Lumberton City Council

Item: VI.B.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: City Manager

Submission Date: 04/23/2025

Subject: Ratify the CRF Request - "John P. Williamson Memorial Tournament" as follows: P1 - \$100 P2 - \$50 P3 - \$50 P4 - \$100 P6 - \$50 P7 - \$50 P8 - \$100 and \$100 from the Mayor's discretionary fund for a total of \$600.00.

Summary/Background of Subject Matter:

Ratify a poll conducted on April 22, 2025, in reference to the "22nd Annual John P. Williamson Memorial Golf Tournament to be held on Saturday, May 3, 2025, at the Pinecrest Golf Club. All proceeds will benefit the Robeson County Humane Society.

Staff Recommendation:

Ratify the contributions as stated above.

City Manager's Comments:

Signature:

Department: City Manager

ATTACHMENTS:

None

Lumberton City Council

Item: VI.C.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: City Manager

Submission Date: 04/23/2025

Subject: Ratify the Designation of \$600 of CRF to Rowland Norment Elementary School for Teacher Appreciation Week as follows: P1 - \$100 P2 - \$50 P3 - \$100 P4 - \$100 P5 - \$50 P6 - \$100 P7 - \$50 and P8 - \$50 for a total of \$600.00.

Summary/Background of Subject Matter:

Ms. Denise Parker, a teacher with Rowland Norment Elementary School, requested a donation for the 2025 Teacher Appreciation Week. Councilman Douglas would like to contribute \$100 of CRF to this event. This event will take place the week of May 5th – 9th and the next Council is scheduled for May 5th. Due to time constraints, Councilman Douglas requested a poll of Council.

Staff Recommendation:

Ratify the donation of \$600 of CRFas stated above.

City Manager's Comments:

Signature:

Department: City Manager

ATTACHMENTS:

1. (M)2025 Teacher App Donation Request Letter-LSHS



Lumberton High School

3901 Fayetteville Rd., Lumberton, NC 28358

Phone: 910-671-6050 Fax: 910-671-4399

www.robeson.k12.nc.us/lshs

Tax ID:56-6001104

Subject: Donation for Teacher Appreciation Week

The instructional leaders of Lumberton Senior High School are excited to announce our upcoming Teacher Appreciation Week, scheduled for May 5th-9th. During this special week, we honor the hard work and dedication of our teachers and support staff.

Each year, we celebrate by providing lunch and organizing gift card drawings. This year, we want to go even further in showing our teachers how much they mean to us. Our goal is to offer breakfast, lunch, and snacks throughout the week, along with a variety of gift card drawings, shirts, cups, and other prizes.

As a member of the LSHS instructional team, I feel incredibly fortunate to work alongside such a talented and devoted group of educators. Every teacher is an invaluable asset to our school, and we want to make sure they know how deeply they are appreciated.

We are reaching out to local businesses and city officials to ask for your support. Would you consider donating a monetary contribution of \$500 to help us honor our teachers? Your donation would make a significant impact and is truly appreciated.

If you're able to contribute, please contact the school at 910-671-6050 and ask for Mrs. Deahna Whitfield, or feel free to reach out to me directly at 910-734-1848. We are happy to arrange for pick-up or accept donations at the school. Additionally, we would love for you to join us for lunch during Teacher Appreciation Week to see firsthand the gratitude we are showering on our teachers.

Thank you for considering this opportunity to make our teachers feel truly valued. We hope to hear from you soon!

Warm regards,
Deahna Whitfield
Lead Teacher, LSHS

Lumberton City Council

Item: VI.D.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: City Manager

Submission Date: 04/24/2025

Subject: Ratify the Naming of the Memorial Park to "Lumber River Memorial Park"

Summary/Background of Subject Matter:

The general contractor for the memorial park, located at the intersection of Water Street and Elizabeth Road, was at the point in construction that they needed to order the signage. We had been calling this project "Memorial Park" during both Phase 1 and Phase 11, but it was time to decide upon an official name. In the spirit of cooperation with Robeson County, staff recommended the name "Lumber River Memorial Park" as the property is located a stone's throw from the river and this name would encompass the interests of both the City of Lumberton and Robeson County. Staff were seeking City Council confirmation of this name for the new memorial park.

Staff Recommendation:

Ratify the naming of the memorial park to "Lumber River Memorial Park."

City Manager's Comments:

Signature:

Department: City Manager

ATTACHMENTS:

None

Lumberton City Council

Item: VII.A.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Electric Utilities

Submission Date: 05/01/2025

Subject: (POD #3) Sub-Station #3 Circuit Relocation

Summary/Background of Subject Matter:

The City of Lumberton's Electrical Utilities Department has formally requested and received bids on the labor and equipment cost to relocate 5 electrical circuit feeders that are currently crossing a City of Lumberton-owned property which is located in the new Southeastern Cross Roads Industrial Park at 289 Emory Ln. These feeders have been in place since 2000 and need to be relocated for a new customer to utilize this property. These funds for this relocation will be used from a current Commerce Grant and Golden Leaf Grant.

Staff Recommendation:

The following were the bids received. Williams Electric Company at \$731,850.00, East Coast Electric at \$623,443.44, Huss Boring at \$334,554.75, Lee Electrical Construction at \$315,151.60, River City Construction at \$304,315.60, Utility Lines Construction Services at \$292,498.42 and Carolina Power & Signalization at \$240,191.60. The City of Lumberton's Electric Utilities Department is recommending that council award Carolina Power and Signalization the contract to relocate these 5 electrical circuit feeders at (POD#3) Sub-Station #3 at a cost of \$240,191.60. This contract is for labor and equipment only.

City Manager's Comments:

Signature:

Department: Electric Utilities

ATTACHMENTS:

1. Project Wolverine 2025 BID TABULATION

City of Lumberton, North Carolina

Project Wolverine POD#3 Circuit Relocation

Bid Date: Thursday, March 27, 2025

	Carolina Power & Signalization	Utility Lines Construction Services	River City Construction	Lee Electrical Construction	Huss Boring	East Coast Electric	Williams Electric Company
BIDDER							
BID BOND	5%	5%	5%	5%	5%	5%	5%
<i>Addendum #1</i>	yes	yes	yes	yes	no	no	yes
<u>Overhead Construction Installation Units</u>							
<i>Pole Units</i>	16,100.00	31,258.54	\$ 28,490.00	22,560.00	17,027.35	\$ 41,250.00	122,080.00
<i>Pole Top Units</i>	27,033.00	29,898.12	\$ 39,405.00	31,085.00	21,461.22	\$ 93,740.00	103,320.00
<i>Conductor Units/1,000 ft.</i>	33,304.00	87,679.68	\$ 47,012.00	44,160.00	29,318.10	\$ 48,099.44	74,704.00
<i>Transformer Units</i>	350.00	711.78	\$ 586.00	400.00	381.15	\$ 420.00	1,400.00
<i>Anchor & Guy Units</i>	11,190.00	35,054.06	\$ 22,949.00	12,485.00	48,889.35	\$ 20,598.00	72,730.00
<i>Miscellaneous Units</i>	1,195.00	6,748.40	\$ 1,880.00	1,271.00	2,991.27	\$ 5,000.00	15,456.00
<i>Total OH Installation Units</i>	89,172.00	191,350.58	\$ 140,322.00	111,961.00	120,068.44	\$ 209,107.44	389,690.00
<u>Underground Construction Installation Units</u>							
<i>Underground Bore & Pull Back Units</i>	122,220.00	62,500.00	\$ 124,936.00	162,960.00	117,467.00	\$ 217,280.00	123,578.00
<i>Underground Conductor Units</i>	11,289.60	20,998.66	\$ 15,993.60	20,697.60	29,823.36	\$ 84,672.00	131,712.00
<i>Underground Miscellaneous Units</i>	13,150.00	9,007.33	\$ 19,907.00	14,630.00	64,734.10	\$ 95,920.00	64,904.00
<i>Underground Conduit Units</i>	2,760.00	2,358.96	\$ 1,800.00	3,120.00	1,346.64	\$ 12,000.00	15,120.00
<i>Total UG Installation Units</i>	149,419.60	94,864.95	\$ 162,636.60	201,407.60	213,371.10	\$ 409,872.00	335,314.00
TOTAL INSTALLATION UNITS	\$ 238,591.60	\$ 286,215.53	\$ 302,958.60	\$ 313,368.60	\$ 333,439.54	\$ 618,979.44	\$ 725,004.00
<u>Removal Units</u>							
<i>Guy & Anchor Units</i>	\$ 115.00	\$ 164.99	\$ 85.00	\$ 127.00	\$ 173.25	\$ 140.00	\$ 602.00
<i>Miscellaneous Units</i>	\$ 1,485.00	\$ 6,117.90	\$ 1,272.00	\$ 1,656.00	\$ 941.96	\$ 4,324.00	\$ 6,244.00
<i>Total Removal Units</i>	\$ 1,600.00	\$ 6,282.89	\$ 1,357.00	\$ 1,783.00	\$ 1,115.21	\$ 4,464.00	\$ 6,846.00
TOTAL UNITS	\$ 240,191.60	\$ 292,498.42	\$ 304,315.60	\$ 315,151.60	\$ 334,554.75	\$ 623,443.44	\$ 731,850.00
<i>Completion Time (Calendar Days)</i>	60	60	60	60	60	60	60
<i>Experience Rate Modifier</i>	0.63	0.37	1.15	0.63	0.96	-	0.72

No Bid: Pike Enterprise

Lumberton City Council

Item: VII.B.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Police

Submission Date: 04/30/2025

Subject: Permission to apply for and accept the Byrne JAG Grant for Law Enforcement Equipment

Summary/Background of Subject Matter:

The Lumberton Police Department is requesting permission to apply for the Byrne JAG Grant for Law Enforcement Equipment in the amount of \$50,000.00. This funding will be used to purchase 16 VIPER Radios which will be used for the necessary enhancement of communication for patrol officers and other law enforcement personnel.

Staff Recommendation:

It is recommended that the Lumberton Police Department be granted permission to apply for the Byrne JAG Grant for equipment in the amount of \$50,000.00.

City Manager's Comments:

Signature:

Department: Police

ATTACHMENTS:

None

Lumberton City Council

Item: VII.C.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: City Manager

Submission Date: 05/01/2025

Subject: Main Street Lumberton Update

Summary/Background of Subject Matter:

Staff will provide an update on the Facade Grant Program, including the receipt of a \$100,000 contribution from the Lumberton Visitor's Bureau to support ongoing downtown revitalization efforts. Additionally, staff will report on the recent installation of sunshades in the Dick Taylor Plaza as part of Main Street Lumberton, Friends of Main Street Lumberton, and the City's joint beautification and pedestrian comfort initiatives.

Staff Recommendation:

City Manager's Comments:

Signature:

Department: City Manager

ATTACHMENTS:

None

Lumberton City Council

Item: VII.D.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Public Works

Submission Date: 04/16/2025

Subject: Adopt a Resolution Accepting the Funding Offer for the Lead Service Inventory Project (Phase 2)

Summary/Background of Subject Matter:

The City of Lumberton has been approved for funding assistance in the amount of \$1,000,000 for the Lead Service Inventory Project (Phase 2) by the North Carolina Division of Water Infrastructure. Attached for Council's approval is a Resolution Accepting the funding offer and accepting the Conditions and Assurances. At the October 7, 2024, Council meeting, City Council gave staff permission to apply.

Staff Recommendation:

Adopt the attached Resolution Accepting the funding offer of \$1,000.000 from the North Carolina Division of Water Infrastructure for the Lead Service Inventory (Phase 2).

City Manager's Comments:

Signature:

Department: Public Works

ATTACHMENTS:

1. BP-70C45_20241231_140621
2. 2025.05.01 -Resolution NC Department of Environment Quality - Lead Line Replacement Program - Phase 2

ROY COOPER

Governor

MARY PENNY KELLEY

Secretary

SHADI ESKAF

Director



NORTH CAROLINA
Environmental Quality

December 23, 2024

Mr. Wayne Horne, City Manager
City of Lumberton
PO Box 1388
Lumberton, NC 28359

SUBJECT: Lead Service Line Replacement Program
Funding Offer
City of Lumberton
Lead Service Inventory Project (Phase 1)
Project No.: SRF-D-LSL-0107

Dear Mr. Horne:

The City of Lumberton has been approved for funding assistance according to the subject funding offer. This offer is made subject to the Assurances and Conditions attached to this document.

Upon your acceptance, please submit the following items via Laserfiche at the following link: <https://edocs.deq.nc.gov/Forms/DW-Document-Upload-Form>.

1. One (1) copy of the original Offer and Acceptance Document executed by the Authorized Representative for the project, along with the Conditions and Assurances. **Retain a copy for your files.**
2. A resolution adopted by the governing body accepting the funding offer and making the applicable Conditions and Assurances contained therein. A sample of a suggested format is enclosed.
3. The Federal Identification Number and Unique Entity ID Number of the Recipient (UEID required for federally funded projects)
4. Sales-Tax Certification (form enclosed)

Please note that closing costs for the current loan are 2% of the total loan amount, which is \$20,000. Please use the attached invoice to remit payment.



North Carolina Department of Environmental Quality | Division of Water Infrastructure
512 N. Salisbury Street | 1633 Mail Service Center | Raleigh, North Carolina 27699-1633
919.707.9160

Mr. Wayne Horne, City Manager

City of Lumberton

December 23, 2024

Page 2 of 2

The enumerated items above as well as the payment of closing fees **are due before disbursements can begin**. Disbursement requests are to be submitted via Laserfiche at the following link: <https://edocs.deq.nc.gov/Forms/DW-Document-Upload-Form>. A reference copy of the Disbursement Request Form (also found on the DWI website) has been enclosed for your convenience.

Please note that disbursement of loan funds is contingent upon debt approval by the Local Government Commission (LGC). You may coordinate debt approval directly with the LGC by e-mail at srf@nctreasurer.com.

On behalf of the Department of Environmental Quality, I am pleased to make this funding offer. Should you have any questions concerning this offer of funding, or any of the stipulations outlined in this offer package, please contact Renee Parkman either by telephone at 704-235-2203 or by e-mail at renee.parkman@deq.nc.gov.

Sincerely,

Signed by:

Kavitha Ambikadevi

on behalf of

Shadi Eskaf, Director

Division of Water Infrastructure, NCDEQ

Enclosures: Offer and Acceptance Document
Assurances & Conditions
Federal ID and UEID Number Request Memo
Resolution to Accept Funding Offer (suggested format)
Sales-Tax Certification Form
Disbursement Request Form
Site Certification
Capital Project Ordinance (sample)
Closing Fee Invoice

cc: John C. Grey, P.E., The Wooten Company (jgrey@thewootencompany.com)
Mark Hubbard, P.E. (Via DocuSign)
Jeannine Press (Via DocuSign)
Teresa Tripp (Via DocuSign)
DEQ.DWI.FundingOffer@deq.nc.gov

DWI Agreement ID: 2000077762 (COM_LOX)

**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER INFRASTRUCTURE**

Funding Offer and Acceptance

Legal Name and Address of Award Recipient

City of Lumberton
PO Box 1388
Lumberton, NC 28359

Project Number: SRF-D-LSL-0107

Assistance Listing Number: 66.468

Unique Entity ID Number: W62KLWWQW1N4

Funding Program

Drinking Water	☒	Additional Amount for Funding Increases	Previous Total	Total Offered
Stormwater	☐			
Wastewater	☐			
BIL-DWSRF-LSLR Fund - Repayable Loan	☒	--	--	\$ 100,000
BIL-DWSRF-LSLR Fund - Principal Forgiveness	☒	--	--	\$ 900,000
State Reserve Loan	☐			
State Reserve Grant	☐			
State Reserve Earmark (S.L. 2023-134)	☐			
American Rescue Plan Act - Choose an item.	☐			

Project Description:

Lead Service Line Inventory Project (Phase 1)

Total Financial Assistance Offer: \$ 1,000,000
Total Project Cost: \$ 1,000,000
Estimated Closing Fee*: \$ 20,000
For Loans
Interest Rate: 0% Per Annum
Maximum Loan Term: 5 Years

**Estimated closing fee calculated based on grant and loan amount.*

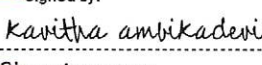
Pursuant to North Carolina General Statute 159G:

- The applicant is eligible under Federal and State law,
- The project is eligible under Federal and State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina:

**Shadi Eskaf, Director, Division of Water Infrastructure
North Carolina Department of Environmental Quality**

Signed by:  Signature	on behalf of Shadi Eskaf	12/30/2024 Date
--	-----------------------------	--------------------

On Behalf of:

City of Lumberton

Name of Representative in Resolution:

Title (Type or Print):

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the attached Assurances and the Standard Conditions.

Signature	Date
-----------	------

APPLICABLE STANDARD CONDITIONS*

Project Applicant: City of Lumberton

Project Numbers: SRF-D-LSL-0107

1. **Social Authorities:** Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act, The Age Discrimination Act of 1975, Section 13 of the Federal Water Pollution Control Act Amendments of 1972, and Equal Employment Opportunity (Executive Order No 11246, as amended) which prohibits activities that are intentionally discriminatory and/or have a discriminatory effect based on race, color, religion, sex, sexual orientation, gender identity, or national origin.
2. **Environmental Authorities:** National Environmental Act, National Historic Preservation Act, Archeological and Historic Preservation Act, Protection of Wetlands, Flood Plain Management, Farmland Protection Policy Act, Coastal Zone Management Act, Coastal Barriers Resources Act, Wild and Scenic Rivers Act, Endangered Species Act, Essential Fish Habitat and the Safe Drinking Water Act applicability will be determined upon submittal of an Environmental Information Document (EID) during the Engineering Report review process.
3. Acquisition of Real Property must comply with all applicable provisions of the Uniform Relocation and Real Property Acquisition Policies Act of 1970 (PL 92-646), as amended. The applicant shall certify that it has or will have a fee simple or such other estate or interest in the site of the project, including necessary easements and rights-of-way, to assure undisturbed use and possession for the purpose of construction and operation for the estimated life of the project using a certification form provided by DEQ.
4. Specific MBE/WBE (DBE) forms and instructions are provided that are to be included in the contract specifications. These forms will assist with documenting positive efforts made by recipients, their consultants and contractors to utilize disadvantaged businesses enterprises. Such efforts should allow DBEs the maximum feasible opportunity to compete for subagreements and subcontracts to be performed. Documentation of efforts made to utilize DBE firms must be maintained by all recipients, and construction contractors, and made available upon request.
5. Debarment and Suspension, Executive Order No. 12549: Subrecipients shall fully comply with Subpart C of 2 CFR Part 180 entitled, "Responsibilities of Participants Regarding Transactions Doing Business with Other Persons," as implemented and supplemented by 2 CFR Part 1532. Recipient is responsible for ensuring that any lower tier covered transaction, as described in Subpart B of 2 CFR Part 180, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Subrecipients may access suspension and debarment information at: <http://www.sam.gov>. This system allows subrecipients to perform searches determining whether an entity or individual is excluded from receiving Federal assistance.
6. The construction contract(s) requires the contractor to adhere to Davis Bacon and Related Acts Provisions and Procedures as listed in the Code of Federal Regulations Chapter 29 Part 5 Section 5 (29 CFR 5.5). Public Law pertaining to this is also enacted in Title 40, United States Code, Subtitle II Section 3141 through Section 3148.
7. As required by H.R. 3547, "Consolidated Appropriations Act, 2014" Section 436, Division G, Title IV, this project is subject to American Iron and Steel provisions. The State provides detailed requirements to be included in the construction contract specifications.
8. Section 603(d)(1)(E) of the Federal Water Pollution Control Act requires subject projects to develop and implement a Fiscal Sustainability Plan (FSP) for projects that involve the repair, replacement or expansion of publicly owned treatment works. Note that FSPs are not required for new treatment works. The certification provided must be submitted regarding compliance with this section of the Act.
9. Section 602(b)(14) of the Clean Water Act requires projects receiving CWSRF funding to comply with Federal engineering procurement guidelines. The State provides a certification form that must be completed prior to receiving funds for any engineering services covered under this funding offer.

10. Pursuant to 2 C.F.R. § 200.216, subrecipients cannot obligate SRF funds to: (1) procure or obtain; (2) extend or renew a contract to procure or obtain; or (3) enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment or services (as described in Public Law 115-232, Section 889) as a substantial or essential component of any system, or as a critical technology as part of any system.

**Note: 1 does not require anything to be submitted. 8 and 9 apply to the CWSRF only. Details on all of these conditions can be found the EPA Cross-Cutter handbook.*

ASSURANCES

Project Applicant: City of Lumberton **Project Numbers:** SRF-D-LSI-0107

1. The Applicant intends to construct the project or cause it to be constructed to final completion in accordance with the Application approved for financial assistance by the Division.
The recipient acknowledges that in the event a milestone contained in the most recent Clean Water State Revolving Fund Intended Use Plan and/or the Letter of Intent to Fund is missed, the Department of Environmental Quality will rescind this Funding Offer.
2. The Applicant is responsible for paying for the costs ineligible for SRF funding.
3. The construction of the project, including the letting of contracts in connection therewith, conforms to the applicable requirements of State and local laws and ordinances.
4. As of the acceptance of this Funding Award Offer, steps A-D in the SRF Guidance will be complete. These Assurances, likewise, incorporate the most recent version of the SRF Guidance, and the Applicant hereby certifies by accepting this Funding Award Offer that it will adhere to the subsequent steps in the SRF Guidance document. The remaining steps generally govern project design, bidding, contracting, inspection, disbursements, closeout and repayment.
5. The Applicant will provide and maintain adequate engineering supervision and inspection.
6. The recipient agrees to establish and maintain a financial management system that adequately accounts for revenues and expenditures. Adequate accounting and fiscal records will be maintained during the construction of the project and these records will be retained and made available for a period of at least three years following completion of the project.
7. All SRF funds loaned shall be expended solely for carrying out the approved project, and an audit shall be performed in accordance with G.S. 159-34. Partial disbursements on this loan will be made promptly upon request, subject to adequate documentation of incurred eligible costs, and subject to the recipient's compliance with the Standard Conditions of this Award. The Applicant agrees to make prompt payment to its contractor, and to retain only such amount as allowed by North Carolina General Statute.
8. The applicant will expend all of the requisitioned funds for the purpose of paying the costs of the project within three (3) banking days following the receipt of the funds from the State. Please note that the State is not a party to the construction contract(s) and the Applicant is expected to uphold its contract obligations regarding timely payment.
9. The applicant acknowledges that loan funds contained in this Funding Offer require approval from the North Carolina Local Government Commission before they can be disbursed.

Date: December 23, 2024

INVOICE

NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY DIVISION OF WATER INFRASTRUCTURE

Payable to: NC/DEQ-DWI

Mail to: Attention: Business Office
Division of Water Infrastructure
1633 Mail Service Center
Raleigh, NC 27699-1633

Bill to: Mr. Wayne Horne, City Manager
City of Lumberton
P.O. Box 1388
Lumberton, NC 28359

Item: 2% Closing Fee for SRF Project No. SRF-D-LSL-0107

Loan Amount: \$ 1,000,000

Closing Fee Amount: \$ 20,000

AMOUNT DUE: \$ 20,000

*****PAYMENT IS DUE BEFORE PAY REQUEST SUBMITTAL *****

FOR USE OF DIVISION OF WATER INFRASTRUCTURE

Deposit to Fund _____ **Amount Paid** _____

FEDERAL ID & Unique Entity ID # REQUEST MEMO

TO: All Loan and Grant Recipients

SUBJECT: Federal Identification Number

Please be advised that all local government units receiving grant or loan funds from the State of North Carolina must supply their Federal Identification Number to this office upon acceptance of your loan/grant offer. Therefore, please provide the information below and return to the Division via email at DEQ.DWI.FundingOffer@deq.nc.gov.

RECIPIENT:

PROJECT NUMBER:

FEDERAL IDENTIFICATION NUMBER:

UNIQUE ENTITY ID:

RESOLUTION BY GOVERNING BODY OF APPLICANT *(Suggested Format)*

WHEREAS, the Bipartisan Infrastructure Law (BIL) of 2021 and North Carolina General Statute (NCGS) 159G have authorized the making of loans to aid eligible, drinking-water system owners in financing the cost of inventorying and replacing lead service lines; and

WHEREAS, the North Carolina Department of Environmental Quality has offered a Drinking Water State Revolving Fund – Lead Service Line Replacement (DWSRF-LSLR) loan in the amount of (INSERT dollar amount here: \$ _____) to conduct (INSERT project description here), hereafter referred to as the “Project”; and

WHEREAS, the (INSERT name of drinking-water system owner here) intends to conduct said Project in accordance with a scope of work that was approved by the North Carolina Division of Water Infrastructure.

NOW, THEREFORE, BE IT RESOLVED BY THE (INSERT NAME OF GOVERNING BODY HERE) OF THE (INSERT NAME OF DRINKING-WATER SYSTEM OWNER: “CITY OF...”, “TOWN OF...”, “COUNTY OF” and so forth):

That (INSERT name of drinking-water system owner) does hereby accept the DWSRF-LSLR loan offer in the amount of (INSERT dollar amount here: \$ _____); and

That the (INSERT name of drinking-water system owner) does hereby give assurance to the North Carolina Department of Environmental Quality that they will adhere to all applicable items specified in the standard “Conditions” and “Assurances” of the Department’s funding offer, awarded in the form of (SPECIFY here type(s) of loan or grant offered); and

That (INSERT here the name and title of your Authorized Representative), and successors so titled, is hereby authorized and directed to furnish such information, as the appropriate State agency may request, in connection with such application or the Project; to make the Assurances as contained above; and to execute such other documents as may be required in connection with the application; and

That the (INSERT name of drinking-water system owner) has complied substantially or will comply substantially with all Federal, State and local laws, rules, regulations, and ordinances applicable to the Project, and to Federal and State grants and loans pertaining thereto.

Adopted this the (INSERT here date resolution adopted) at (INSERT place name here), North Carolina.

(Signature of Chief Executive Officer)

(Date)

SALES-TAX REIMBURSEMENT CERTIFICATION FORM

(FOR FUNDING PROGRAMS IN THE DIVISION OF WATER INFRASTRUCTURE)

Applicant: _____

Project Number: _____

☐ Check If Applicant is not a unit of government under North Carolina law

If Applicant noted above is a Unit of Government in North Carolina, check the applicable box below.

Sales Tax **IS** deducted in this scenario. Please show this on the disbursement requests.

☐ The construction contract was bid with sales taxes and the unit of government will request reimbursement from the DOR.

Sales Tax **IS NOT** deducted in either of these scenarios.

☐ The construction contract was bid with sales taxes and the unit of government will not request reimbursement from the DOR.

☐ The construction contract was bid without sales taxes

(Printed Name and Title of Authorized Representative)

(Signature of Authorized Representative)

(Date)

DISBURSEMENT REQUEST FORM NC Division of Water Infrastructure

Funding Recipient: _____ Payment No. _____ Page No. _____
DWI Project No. _____ Period Covered From: _____ To: _____

CONSTRUCTION (Rename as appropriate)	Cumulative Cost to Date	Minus Ineligibles	Minus Overruns Not App'd By Change Order	Subtotal of Payable Cost	Minus Retainage on Payable Cost	Minus Cumulative Sales Tax	Other Adjustments (Other Funds e.g.)	Minus Previously Paid to Date	Requested For This Pay Request
Contract 1	\$1,200,000	(\$100,000)	(\$100,000)	\$1,000,000	(\$50,000)	(\$50,000)	(\$500,000)	(\$300,000)	\$100,000
Contract 2	\$505,000		(\$5,000)	\$500,000	(\$25,000)	(\$10,000)		(\$400,000)	\$65,000
Contract 3									
Contract 4									
Contract 5									
ENGINEERING (Rename as appropriate)	Cumulative Cost to Date								
Item 1	\$250,000							(\$250,000)	\$0
Item 2									
Item 3									
Item 4									
OTHER COSTS (Rename as appropriate)	Cumulative Cost to Date								
Item 1									
Item 2									
Item 3									
PAY REQUEST TOTALS									
	\$1,955,000	(\$100,000)	(\$105,000)		(\$75,000)	(\$60,000)	(\$500,000)	(\$950,000)	\$165,000

Certification
I certify that to the best of my knowledge and belief the incurred costs being requested for disbursement are in accordance with terms of the project and that this request represents the monies due which have not been previously received and that an inspection has been performed and all work is in accordance with the terms and conditions of the award.
For applicable SRF projects, the project remains in compliance with Davis-Bacon and American Iron and Steel conditions or is the process of remediating noncompliance.

You must check ONE of the boxes below or your payment will not be processed:
The funds requested above have already been paid to the respective vendors, consultants & contractors by the funding recipient ☐
OR
The funds requested above have not been paid to the respective vendors, consultants & contractors. ☐
Funds received from the State will be disbursed to these entities within three (3) banking days.

Type or Print Name and Title _____ Signature of Authorized Representative _____ Date _____
DWI comments _____

Instructions and notes on how to use this form
- Complete guidance for preparing disbursement requests can be found in section G.2. of the North Carolina SRF Program Overview and Guidance that was included with your Funding offer (applicable to State grants and loans too).
- The form, as downloaded, is filled out with sample numbers. It is suggested that the sample be used as a reference (saved or printed).
- Please submit ONE COPY of this form and backup documents when requesting funds.
- Only the Authorized Representative can sign this form, unless declared otherwise in a resolution.
- Construction contract line item overruns and engineering amendments before those costs will be paid.



Water Infrastructure
ENVIRONMENTAL QUALITY

CERTIFICATION REGARDING UNIFORM RELOCATION
ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES
(URLAP) ACT OF 1970

Applicant: _____
Project No.: _____
Project Name: _____

Please check appropriate boxes:

☐ I certify that all real property (including easements) has been acquired or condemnation proceedings have been entered into for property thereby providing legal access for this project. AND
☐ I certify to the best of my knowledge and belief that the acquisition of property specifically for the above referenced project is in compliance with the URLAP Act of 1970 (the Uniform Act). The acquisition either: ☐ Acquisition of real property did not result in the displacement of any person, business or farm operation. ☐ or relocation was involved in the land acquisition, the Federal Highway Administration (FHA) was contacted for technical assistance. OR ☐ Compliance with the Uniform Act does not apply because the land and/or easements associated with the above referenced project were acquired prior to the inception of the project. Date land acquired: _____

I understand that a false statement on this certification may be grounds for rejection or termination of this loan.

Signature of Applicant's Authorized Representative or Attorney

Date

Typed Name and Title

Capital Project Ordinance

Be it ORDAINED by the Governing Board of the (Town of Anywhere), North Carolina, that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital Project Ordinance is hereby adopted.

Section 1: The Project authorized is the (construction/rehabilitation of a wastewater treatment/collection System) to be financed by (the sale of general obligation bonds/ARRA loan /federal loan/state loan / state grants and reserves).

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the board resolution, loan documents and the budget contained herein.

Section 3: The following amounts are appropriated for the project:

Engineering	\$ 120,000
Land	90,000
Construction	<u>1,440,000</u>
	<u>\$ 1,650,000</u>

Section 4: The following revenues are anticipated to be available to complete this project:

Federal/ARRA Loan	\$ 1,100,000
Proceeds from general Obligation Bonds	\$ 500,000
Transfer from Wastewater treatment capital Reserve	<u>\$ 20,000</u>
	<u>\$ 1,650,000</u>

Section 5: The finance officer is hereby directed to maintain within the capital project fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations. The terms of the bond resolution also shall be met.

Section 5: Funds may be advanced from the General Fund for the purpose of making payments as due.

Disbursement requests should be made to the grantor agency in an orderly and timely manner. Section

7: The finance officer is directed to report, on a quarterly basis, on the financial status of each project element in section 3 and on the total grant/loan revenues received or claimed.

Section 8: The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this board.

Section 9: Copies of this capital project ordinance shall be furnished to the clerk to the Governing Board, and to the Budget Officer and the Finance officer for direction in carrying out this project.

Duly adopted this __ day of ____ 201_.

Signature, (Authorized Rep)

(Seal)

Attest: _____
Signature (Town Clerk)



1/37

Beds



3

Baths



3 (2 full - 1 half)

Size



1701-1800

Days on OneHome



13

Move-in ready 3BR/2.5BA home nestled on private cul-de-sac in Mayfair. Home did not have any flooding issues. Home is located on one of the largest lots in the neighborhood! Features include hardwood floors, open floor plan, custom built-ins in living, and an amazing back yard! Detached two-car garage with approx 675 sq ft suite above garage with living, dining, bedroom, and bathroom. Roof was replaced in 2020, fresh paint throughout, exterior si...

[Read More](#)Estimated Monthly Cost: ~~\$1,672~~ >

FROM MARKETPLACE

[Get Insurance Quotes](#)[Estimate a Project](#)

Features

Type: Single Family Residence

Year Built: 1981

Lot Size Area: .26-.5 Acres

Garage Spaces: 2

Heating: Heat Pump

Cooling: Central Air, Electric

County/Parish: Robeson

Subdivision: MAYFAIR

Closed On: Feb 1, 2022

LR

**RESOLUTION OF THE LUMBERTON CITY COUNCIL OFFER AND ACCEPTANCE
OF THE DRINKING WATER STATE REVOLVING FUND – LEAD SERVICE LINE
REPLACEMENT (DWSRF-LSLR) LOAN OFFERED BY THE NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY**

WHEREAS, the Bipartisan Infrastructure Law (BIL) of 2021 and North Carolina General Statute (NCGS) 159G have authorized the making of loans to aid eligible, drinking-water system owners in financing the cost of inventorying and replacing lead service lines, and

WHEREAS, North Carolina Department of Environment Quality has offered Drinking Water State Revolving Fund – Lead Service Line Replacement (DWSRF-LSLR) grant/loan in the amount of \$1,000,000.00 to conduct the inventorying and replacing lead service lines in the Lead Service Inventory Project (Phase 2), and

WHEREAS, the City of Lumberton intends to conduct said project in accordance with the agreed scope of work,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LUMBERTON:

1. That the Lumberton City Council does hereby accept the (DWSRF-LSLR) offer of \$1,000,000.00 and:
2. The Lumberton City Council does hereby give assurance to the North Carolina Department of Environment Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.
3. That T. Wayne Horne, City Manager and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.
4. The City of Lumberton has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project.

On motion of Council _____, seconded by Council _____, the foregoing Resolution was adopted on the 5th day of May, 2025.

Bruce W. Davis, Mayor

ATTEST:

Laney Mitchell-McIntosh, City Clerk

Resolution No. 2025.05.01

Lumberton City Council

Item: VII.E.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Public Works

Submission Date: 04/22/2025

Subject: Recycled Concrete Debris Crushing

Summary/Background of Subject Matter:

Public Works needs to resupply our stockpile of crushed aggregate. We requested quotes to crush our recycled concrete debris pile and received only one proposal from Peleton Aggregates for \$56,500 to process approximately 5,500 tons of aggregate.

Staff Recommendation:

Public Works is requesting approval of the Peleton Aggregates Proposal to crush approximately 5,500 tons of recycled concrete debris for \$56,500 to be paid for from the water and sewer capital reserve fund.

City Manager's Comments:

Signature:

Department: Public Works

ATTACHMENTS:

1. CCF_001667

Pelton Aggregates Bid



Owner Information

Name City of Lumberton(Gary Henderson)

Address 215 S Cedar Street

City, State ZIP Lumberton, NC 28358

Phone 910-316-6983

Email Ghenderson@Ci.Lumberton.NC.US

Project name Lumberton Landfill

Contractor Information

Company Pelton Aggregates, Inc.

Name Scott Patton

Address 3412 Leonard Road

City, State ZIP Knightdale, NC 27545

Phone 919-376-7866

Email Peltonaggregates@gmail.com

Completion date Approximately 3 weeks

Scope of Work

Concrete material crushed to 1-1/2" inch minus. Material stacked on property per customer request.

Not Included

Company Proposal

Company will perform job in a timely and efficient manner. Estimated 5,500 tons to be crushed at \$9 per ton. Transport fee of will be paid by City of Lumberton and is not to exceed \$7,000.00. Payment for services due upon completion of job. Should take approximately 2 weeks to crush approximately 5,000 tons. Total cost not to exceed \$56,500.

Submitted by Scott Patton

4/21/2025

Owner Acceptance

I, _____ do accept the above scope of work.

Lumberton City Council

Item: VII.F.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Public Works

Submission Date: 04/22/2025

Subject: Professional Services Amendment for the Rosewood Drive Drainage Project

Summary/Background of Subject Matter:

While developing the drainage design for the Rosewood Drainage Project, we determined that the existing concrete sanitary sewer gravity main on Rosewood Drive, between Highland Ave and N Walnut Street was in need of replacement and also needed to be realigned to avoid conflicts with the proposed drainage pipe. Several months ago, we replaced the concrete sewer main on Highland Ave as an emergency response to several cave ins. The sewer on Rosewood is of the same age and condition as the Highland Ave sewer was. Therefore, we feel this is an appropriate time to update both sanitary sewer and storm drain for this street segment. The attached proposal adds the design of the replacement sanitary sewer system to the existing professional services contract with Anderson Engineering.

Staff Recommendation:

Public Works is requesting Council approval of the amendment to the Rosewood Drive Drainage Project Professional Services Agreement with Anderson Engineering for \$14,000 to design the replacement sanitary sewer main on Rosewood Drive. This amendment will be paid for out of the Water and Sewer Capital Reserve Fund.

City Manager's Comments:

Signature:

Department: Public Works

ATTACHMENTS:

1. Rosewood Drive Drainage Im. Project-Engineering Fee Amendment



Anderson Engineering & Assoc., P.A.

P.O. Box 1736
305 North Chippewa
Lumberton, NC 28359
Licensure No.: C-0793

Larry Anderson, P.E.
President

April 16, 2025

Attention: Rob Armstrong
City of Lumberton
P. O. Box 1388
Lumberton, NC 28358

Ref: Rosewood Drive Drainage Project
Engineering Fee Amendment for Sanitary Sewer Replacement

Mr. Armstrong,

Thank you for the opportunity to help in the City's needs to replace the existing concrete sanitary sewer along with our efforts to improve the drainage along Rosewood Drive target area. We have completed our scoping on the additional efforts and are proposing an increase to our existing Agreement for the surveying, design, construction management, and closeout documents in the amount of \$14,000. Below is the breakdown showing the scopes.

Scope	Additional Fee	Total Revised Fee
Surveying	\$1,000	\$22,000
Design Services	\$6,000	\$37,000
Procurement	\$ 0	\$8,000
Construction Management	\$5,000	\$19,000
Closeout Documents	\$2,000	\$6,000

This revision increases the total agreement to \$92,000. The efforts for procurement will remain the same as originally proposed.

Let me know if this is acceptable to the City such that we can begin our efforts to add the sanitary sewer into the project. Should you have any questions, please do not hesitate to call me.

Very truly yours,


Larry W. Anderson, P. E.
LWA/rl



Lumberton City Council

Item: VII.G.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Public Works

Submission Date: 04/29/2025

Subject: West Lumberton Floodgate Construction Bids

Summary/Background of Subject Matter:

Bids for the construction of the West Lumberton Floodgate Project will be opened on Friday, May 2nd, at 2:00pm. City Staff will present Council the status of the project during the meeting.

Staff Recommendation:

City Manager's Comments:

Signature:

Department: Public Works

ATTACHMENTS:

None

Lumberton City Council

Item: VII.H.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Public Works

Submission Date: 04/25/2025

Subject: 1st Street Drainage Improvements - Utility Pole Relocation

Summary/Background of Subject Matter:

A Duke Energy utility pole will need to be relocated in order to avoid a conflict with the proposed culvert improvements on 1st Street. Duke Energy has given us a price of \$29,830.57 to re-route the service line.

Staff Recommendation:

Public Works is requesting Council to allocate \$29,830.57 from the North Carolina Golden Leaf Grant for the 1st Street Drainage Improvement Project to pay Duke Energy to relocate a conflicting utility pole.

City Manager's Comments:

Signature:

Department: Public Works

ATTACHMENTS:

1. CP



Lumberton City Council

Item: VII.I.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 04/28/2025

Subject: Eric Chavis Rezoning Request 1322 Alamac Road-ETJ

Summary/Background of Subject Matter:

Eric Chavis is requesting to rezone property located at 1322 Alamac Road from R-6 to B-4.

Staff Recommendation:

CPC review the request, refer the petition to the May 20, 2025 Planning Board meeting for their review, and authorized the Planning Director to set the date of the public hearing.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. Chavis Application

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the Official Zoning Map of the City of Lumberton, North Carolina be amended as hereinafter described:

(NOTE: Please complete this application by typing or printing legibly.)

1. Applicant:

Full Legal Name: Eric Chavis

Physical Home Address: 2960 Bragg St.

Lumberton, NC 28358

Mailing Address: 2960 Bragg St

Lumberton, NC 28358

Telephone: 910-740-3277

Owner:

Full Legal Name: Same

Physical Home Address:

Mailing Address:

Telephone:

Legal Name of Business:

EMAIL: ericchavis63@icloud.com

2. Description of Property:

1322 Alamac Rd

(Address)

1934

(Deed Book)

221

(Page)

17

(Map Book)

108

(Page)

55 feet

(Frontage)

7,569.65 sq.ft.

(Area)

3. Tax Map Identification Number (parcel number): 1017-02-009

4. Existing Zoning District Designation of Property: R-6

5. Requested Zoning District Designation of Property: B-4

6. Applicant's Interest In Property (check one): ☒ Owner ☐ Owner's Agent ☐ Lease-to-Own

☐ Tenant ☐ Family member ☐ Other (explain) _____

7. Legal Description of Property: Attach a running description of the portion of the property to be rezoned in metes and bounds sufficient to reconstruct the same on the property.

8. Site Map: Attach a map of the property in question.

9. Application Fee: Submit the fee payment with application. The application fee is nonrefundable.

1 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975



DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

- 10. Applicant's Intended Use of Property (Applicant should attach a detailed business plan which includes the intended use of the property):**

Use as a garage/service center.

[illegible]

2 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File #

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

11. Notarized Signatures:

Applicant: Eric Chavis 2960 Bragg St.; Lumberton, NC 28358
Full Legal Name (type or print) Home Address

STATE OF NORTH CAROLINA COUNTY OF ROBESON

I, _____, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Applicant: Eric Chavis
Signature

WITNESS my hand and official seal, this the 25th day of April, 2025.



Laney Mitchell-McIntosh
Official Signature of Notary

Laney Mitchell-McIntosh Notary Public
Notary's printed or typed name

My Commission Expires: 10/19/2025

Owner: Eric Chavis 2960 Bragg St.; Lumberton, NC 28358
Full Legal Name (type or print) Home Address

STATE OF NORTH CAROLINA COUNTY OF ROBESON

I, Laney Mitchell-McIntosh, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Owner: Eric Chavis
Signature

WITNESS my hand and official seal, this the 25th day of April, 2025.



Laney Mitchell-McIntosh
Official Signature of Notary

Laney Mitchell-McIntosh Notary Public
Notary's printed or typed name

My Commission Expires: 10/19/2025

3 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____
2/6/2014
Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone: 910-671-3838 ♦ Fax: 910-671-3975

City of *Lumberton*

Planning & Neighborhood Services

Request for Rezoning 1322 ALAMAC RD

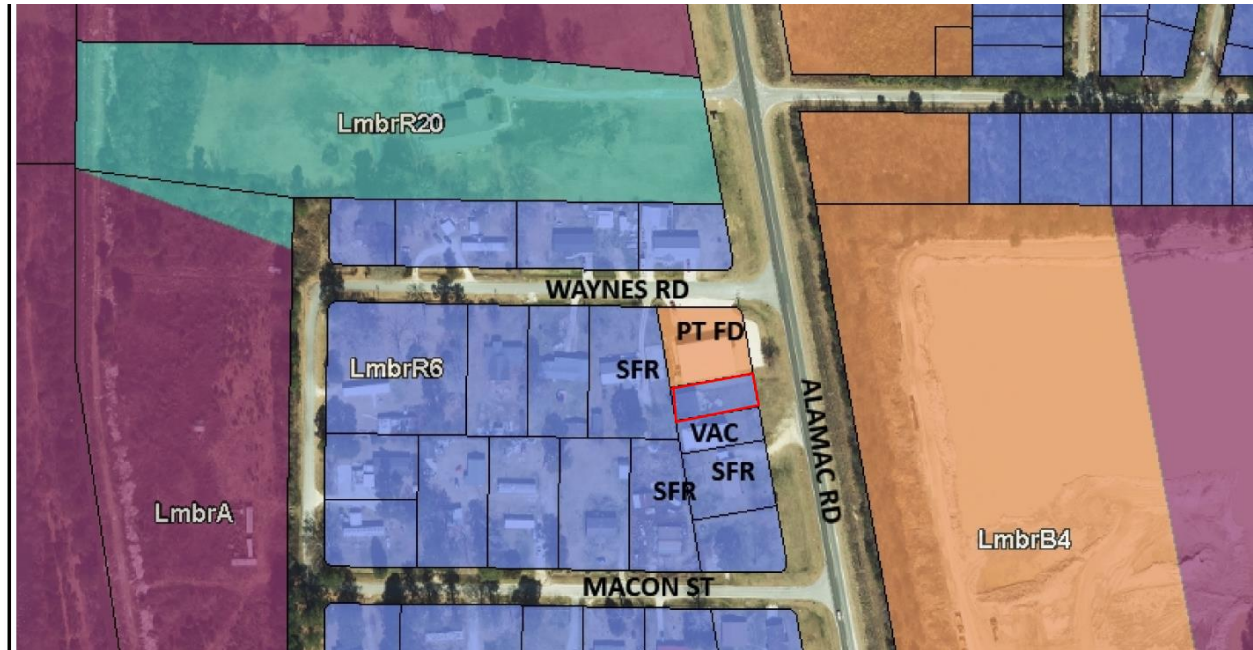
PETITIONER(S): ERIC CHAVIS 1322 ALAMAC RD LUMBERTON, NC 28358	OWNER(S): ERIC CHAVIS 1322 ALAMAC RD LUMBERTON, NC 28358
Rezoning: Eric Chavis is requesting to rezone property located at 1322 Alamac Road from R-6 to B-4.	

LOCATION:



City of *Lumberton*
Planning & Neighborhood Services

ZONING:



PARCEL INFORMATION					
Owner	Parcel #(s)	Address	Zoning	Area	Limits of Construction
ERIC CHAVIS	1017-02-009	1322 ALAMAC RD.	R-6 PROPOSED REZONING TO B-4	~0.173 acres	~0.173 acres

ADJACENT PROPERTY SITE DATA				
	Land Use/	Building Height	Zoning	USE
Subject Property	Proposed vehicle maintenance facility	N/A	R-6 PROPOSED REZONING TO B-4	(Existing) Residential (Class 'A' mobile home) (Proposed) Business general commercial
North	Pine Terrace Volunteer Fire Department	N/A	B-4	Business general commercial
South	Vacant Business	N/A	R-6	Residential (Class 'A' mobile home)
East	Alamac Rd	N/A	N/A	Business general commercial
West	Single Family Residential	N/A	R-6	Residential (Class 'A' mobile home)

STAFF ANALYSIS

PROJECT OVERVIEW

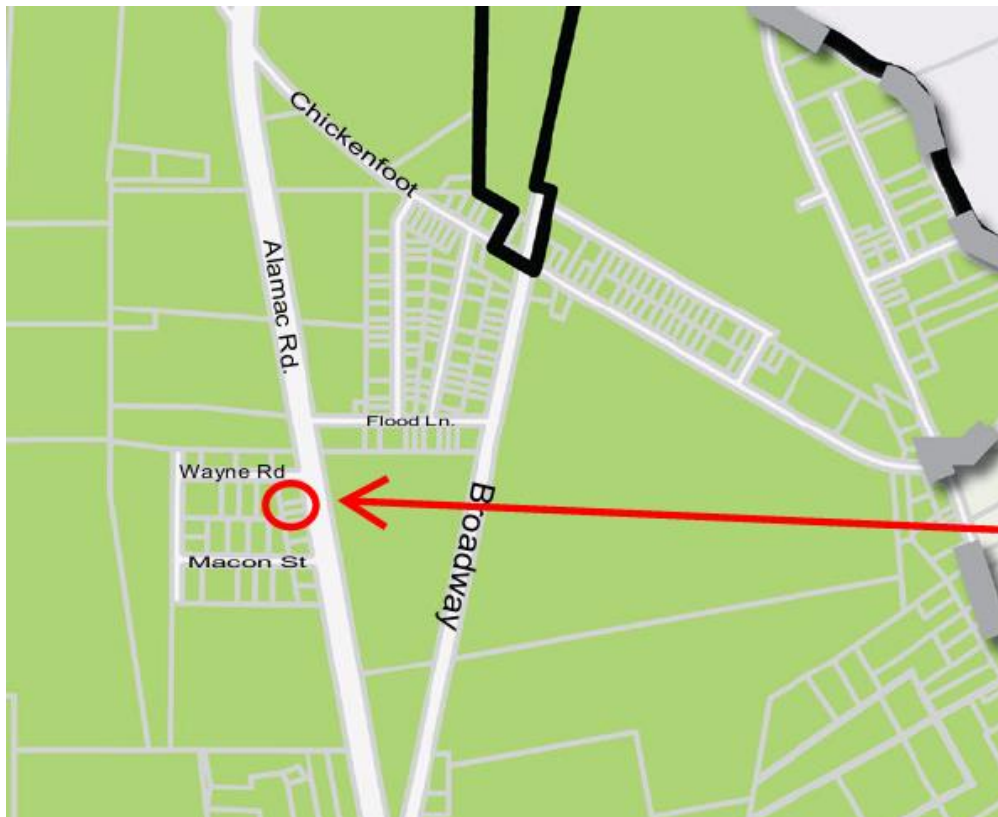
Analysis:

Rezoning Request: Eric Chavis is requesting to rezone property located at 1322 Alamac Road (parcel #1017-02-009). The proposed use of the property is an automobile service center. The property is currently zoned R-6 and the request is to rezone the property from R-6, residential single family to B-4, business general commercial.

The B-4 zoning district minimum lot width is 100 feet. Mr. Chavis was granted a variance to reduce the minimum lot width to 50 feet at this location, if the rezoning to B-4 is granted. A decrease/variance of 50 feet (50%).

PLANNING & ZONING

Land Use Plan: This property is zoned R-6 (proposed rezoning to B-4). The Land Use Plan designates the future use of this parcel as rural, furthermore, this property is located within the ETJ.



RURAL

The Rural land use category is applied to those areas which are situated outside of areas deemed to have the most growth potential. Where development does occur in these areas, it is expected to be at less than 1 dwelling unit per acre and to not be served by the city's wastewater system. While generally agricultural and low density residential in character, certain nonresidential land uses that serve the surrounding rural community are appropriate when sited in locations that do not negatively impact the character, such as small convenience retail uses at rural crossroads or larger scale commercial uses that are intended to directly support the rural agricultural economy.

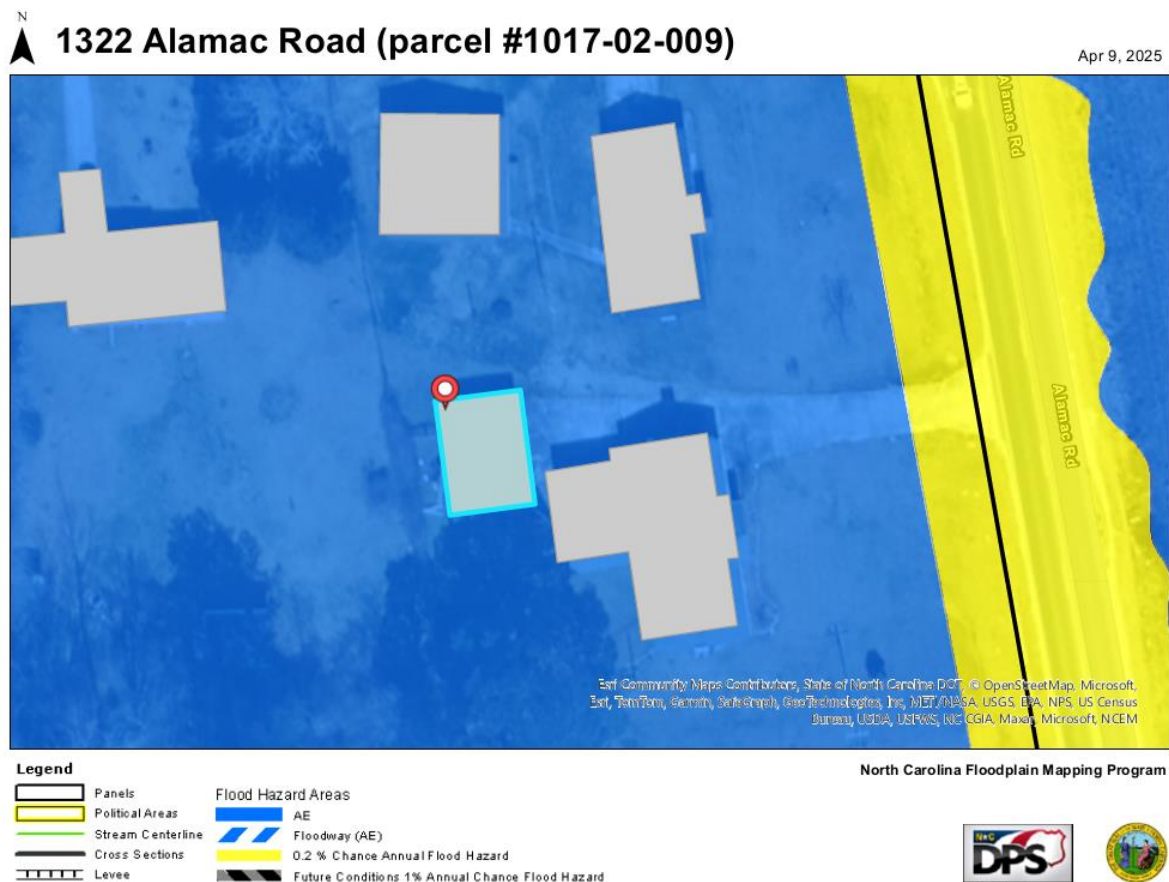
City of*Lumberton**Planning & Neighborhood Services***Setback, Lot Size and Building Height:**

Zoning District	Min. Lot Size	Min. Road Frontage	Maximum Height	Min. Front Setback (right of way)	Min. Side Setback	Min. Rear Setback
R-6	7,000 sq.ft.	70'	35'	20 feet Building 10 feet Sign	8 feet (unless its bordered by a right of way. Then right of way min setbacks are observed)	8 feet (unless its bordered by a right of way. Then right of way min setbacks are observed)
PROPOSED REZONING TO B-4	N/A	100 feet	35 feet	40 feet Building 20 feet Sign	10 feet (unless its bordered by a right of way. Then right of way min setbacks are observed)	10 feet (unless its bordered by a right of way. Then right of way min setbacks are observed)

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone AE 100-YEAR FLOOD: Special Flood Hazard Area inundated by the 100-year flood; base flood elevations are determined.

Map Number: 3710939000K Panel Effective Date: 12/6/2019



DEVELOPMENT UPON APPROVAL

If this rezoning is granted, the applicant must submit site development plans to the City of Lumberton, and other Federal and State Departments, if applicable, for review and approval prior to development.

PLANNING STAFF RECOMMENDATION TO COUNCIL

CPC review the request, refer the petition to the May 20, 2025 Planning Board meeting for their review, and authorized the Planning Director to set the date of the public hearing.

HOLD: CITY OF LUMBERTON



2025003491

ROBESON CO, NC FEE \$26.00

PRESENTED & RECORDED:

04-28-2025 04:23:37 PM

VICKI L LOCKLEAR

REGISTER OF DEEDS

BY: KARINA ORTIZ

DEPUTY

BK: D 2514

PG: 174-175

NORTH CAROLINA

VARIANCE

ROBESON COUNTY

PROPERTY OWNER: ERIC CHAVIS

Tax Parcel #: 101702009

DEED REFERENCE: Deed Book: 1934 Page: 0221

VARIANCE FROM PROVISION OF SECTION 35-183 OF THE CODE OF THE CITY OF LUMBERTON, NORTH CAROLINA, FOR THE PURPOSE OF:

Reducing the minimum lot width for B-4 by 50 feet (from 100 feet to 50 feet).

MEETING DATE: April 15, 2025

On the date listed above, the Board of Adjustment of the City of Lumberton met to consider an application to issue a Variance from the aforelisted section of the Code of the City of Lumberton, North Carolina, at the aforelisted property location.

Having heard all the evidence and argument presented at the hearing, the Board finds that:

- (1) Unnecessary hardship would result from the strict application of the ordinance;
- (2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. (Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.);
- (3) The hardship did not result from actions taken by the applicant or the property owner;
- (4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Based upon the aforementioned findings, the Board concludes that strict enforcement of the Ordinance would result in practical difficulties or unnecessary hardships and that the spirit of the Ordinance will be observed, public safety and welfare secured and substantial justice done and that, therefore, the application for the Variance from the aforelisted section of the Code of the City of Lumberton, North Carolina, for the aforelisted purpose is hereby approved, subject to the following conditions:

- (1) Prior to commencing any development on reliance of this variance, the owner shall secure the necessary zoning, special use, or conditional use permits from the City of Lumberton.
- (2) The owner shall complete the development in accordance with the plans and representations as reflected in the records of the hearing on this matter, a copy of which is filed in the Planning & Neighborhood Services Department of the City of Lumberton, North Carolina.

(3) In issuing the Variance, the Board has placed the following additional conditions or requirements upon the owner, his successors and assigns in exercising the rights granted herein: NONE NOTED.

(4) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this Variance shall be void and of no effect.

Nothing authorized by the Variance may be done until the property owner properly executes and returns to the City the attached acknowledgement of the issuance of this Variance so that the City may have it recorded in the Robeson County Registry.

IN WITNESS WHEREOF, the City of Lumberton has caused this Variance to be issued in its name, and the undersigned, being all of the property owners of the property above described, do hereby accept this Variance, together with all its conditions, as binding on them and their successors in interest.

CITY OF LUMBERTON
BY: [Signature]
Chairman Elect, Board of Adjustment

ATTEST:
[Signature] (Acting Secretary)
Secretary, Board of Adjustment

Owner(s) of the above identified property, do hereby acknowledge receipt of this Variance. The undersigned owners do further acknowledge that no work may be done pursuant to this Variance except in accordance with all of its conditions and requirements and that this restriction shall be binding on them and their successors in interest.

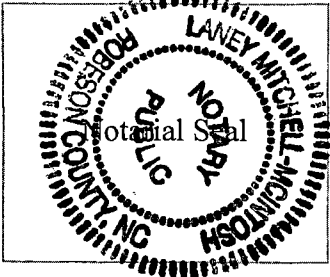
Eric Chavis (SEAL) _____ (SEAL)
Owner Owner
____ (SEAL) _____ (SEAL)
Owner Owner

STATE OF North Carolina COUNTY OF Robeson

I, Laney Mitchell McIntosh, a Notary Public in and for said County and State, do hereby certify that Eric Chavis and

Personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 25th day of April, 2025.



Laney Mitchell McIntosh
Notary Signature
My Commission Expires: 12/19/2025

The R-6 district is designed to accommodate single-family and two-family dwelling units as well as some types of mobile homes used as single-family residences.

I. R-6 Zoning District Permitted Uses

1.110 Single-family residences Other than mobile homes

1.121 Mobile homes Class A

1.210 Duplex

1.220 Two-family conversion

1.410 Homes for handicapped or infirm, Family Care Homes (Level II & III)

1.600 Temporary emergency, construction, and repair residences

1.700 Home occupations

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

14.110 Agricultural operations, farming Excluding livestock

14.200 Silvicultural operations

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

28.200 Minor Subdivisions

II. R-6 Zoning District Requires a Special Use Permit

1.130 Single- family residences with accessory apartment

1.330 Multifamily conversion

1.420 Nursing care, intermediate care homes

1.430 Child care homes

1.440 Halfway houses

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.400 Reclamation landfill

17.100 Neighborhood Utility Facilities

21.100 Cemetery

22.000 Nursery Schools; Day Care Centers

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

The B-4 (general commercial) district is designed to accommodate the widest range of commercial activities.

I. B-4 Zoning District Permitted Uses

1.530 Hotels, motels, and similar businesses or institutions providing overnight accommodations

1.600 Temporary emergency, construction, and repair residences

2.111 Miscellaneous Sales and Rental of Goods, Merchandise and Equipment

2.113 Convenience stores

2.120 Low- volume traffic generation sales

2.130 Wholesale sales

2.210 High- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.220 Low- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.230 Wholesale sales, Storage and display of goods outside fully enclosed building allowed

3.110 Offices - Operations designed to attract and serve customers or clients on the premises, such as the offices of attorneys, realtors, other professions, insurance and stock brokers, travel agents, etc.

3.120 Offices - Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use

3.130 Office or clinics of physicians or dentists

3.210 Operations designed to attract and serve customers or clients on the premises

3.220 Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use

4.120 Majority of dollar volume of business done without walk-in trade Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.200 Operations conducted within or outside fully enclosed building Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.400 Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise and equipment Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above the finished grade.

5.120 Trade or vocational schools

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

5.320 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within any permissible structure

5.400 Social, fraternal clubs and lodges, union halls, and similar

6.110 Bowling alley, skating rinks, indoor tennis and squash courts, indoor athletic and exercise facilities and similar uses

6.121 Movie theatres Seating capacity of not more than 300

6.122 Movie theatres Seating capacity 301—999

6.140 Adult establishments

6.230 Golf driving ranges not accessory to golf courses, par 3 golf courses, miniature golf courses, skateboard parks, water slides, and similar uses

7.100 Hospitals or other medical (including mental health) treatment facilities

7.200 Nursing Care Institutions, Intermediate Care Institutions, Handicapped or Infirm Institutions, Child Care Institutions

8.100 Restaurants No substantial carry-out or delivery service, no drive-in service, no service or consumption outside fully enclosed structure

8.200 Restaurants No substantial carry-out or delivery service, no drive-in service, service or consumption outside fully enclosed structure

8.300 Carry-out and delivery service, consumption outside fully enclosed structure allowed

8.400 Carry-out and delivery service, drive-in service, service or consumption outside fully enclosed structure allowed

9.100 Motor vehicle sales or rentals, excluding manufactured home sales

9.200 Sales with installation of motor vehicle parts or accessories (e.g. tires, mufflers, etc.)

9.300 Motor vehicle repair and maintenance, not including substantial body work

9.500 Gas sales

9.600 Car wash

9.700 Motor vehicles, sales, service repair Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

9.810 Manufactured home sales office without, display units.

10.100 Automobile parking garages or parking lots not located on a lot on which there is another principal use to which the parking is related

10.210 Storage of goods not related to sale or use of those goods on the same lot where they are stored within completely enclosed structures

10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot

10.400 Storage and parking Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

12.100 Veterinarian

13.610 Temporary Emergency Aid Facilities Located within an existing building and new construction

13.620 Mobile Units (including Recreational Vehicles)

14.110 Agricultural operations, farming excluding livestock

14.200 Silvicultural operations

16.000 Dry Cleaner, Laundromat

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

19.000 Open-Air Markets and Horticultural Sales

20.000 Funeral Homes

22.000 Nursery Schools; Day Care Centers

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

24.100 Bus stations

24.200 Train stations

24.300 Taxi stands

25.000 Commercial Greenhouse Operations

27.000 Off- Premises Signs

28.200 Minor Subdivisions

II. B-4 Zoning District Requires a Special Use Permit

2.112 ABC stores

3.140 Government Office Buildings

3.230 Banks with drive-in windows

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

6.130 Coliseums, stadiums and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1,000 people

6.150 Billiard parlors/Pool Halls & Game Centers

6.160 Electronic Gaming Operations

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

6.260 Drive-in movie theatres

6.270 Recreational vehicle parks and/or campgrounds

7.500 Organized Shelters Facilities: 7.510 Type A; 7.520 Type B; & 7.530 Type C

8.150 Restaurant without carry-out/delivery/drive-in; without outdoor dining; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.250 Restaurant without carry-out/delivery/drive-in; with outdoor dining; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.350 Restaurant with carry-out/delivery/outdoor dining; without drive-in service; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.450 Restaurant with carry-out/delivery/outdoor dining; with drive-in service; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.500 Bars, nightclubs

10.220 Storage inside or outside completely enclosed structures

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.510 & 13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.400 Reclamation landfill

15.100 Post office

17.100 Neighborhood Utility Facilities

21.100 Cemetery

21.200 Crematorium

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

Lumberton City Council

Item: VII.J.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 04/28/2025

Subject: Gods Chosen Generation (SUP) Cemetery 44 Zach Drive- ETJ

Summary/Background of Subject Matter:

Pastor Randy Cummings with Gods Chosen Generation is requesting a Special Use Permit (SUP) for a church cemetery to be located at 44 Zach Drive– ETJ.

Staff Recommendation:

CPC review the request, refer the petition to the May 20, 2025 Planning Board meeting for their review, and authorized the Planning Director to set the date of the public hearing.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. Gods Chosen Generation Application et al CPC

**DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
CITY OF LUMBERTON, NORTH CAROLINA
APPLICATION FOR A SPECIAL USE PERMIT**

CEMETERY

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Special Use Permit as hereinafter described:

1. Applicant:

Legal Name: Dods Chosen Denervation
Physical Address: 44 Zach Drive
Lumberton N.C.
Mailing Address: 2100 Norman T Rd
Lumberton N.C. 28360
Telephone: 910-225-9388

Owner:

Legal Name: Pastor Randy Cummings
Physical Address: 44 Zach Drive
Lumberton N.C.
Mailing Address: 2100 Norman T Rd
Lumberton N.C. 28360
Telephone: 910-225-9388

Name of Business:

Business Address:

EMAIL:

Description of Property:

2. <u>44 Zach Drive</u>	<u>1653</u>	<u>762</u>
(Address)	(Deed Book)	(Page)
<u>NA</u>	<u>47.55</u>	<u>5.0</u>
(Map Book)	(Page)	(Area)

3. **Tax Map Identification (parcel number):** 24010100601

4. **Proposed Use of Property:** Cemetery

5. **Zoning District Designation of Property:** Agriculture (A)

6. **Development Site Plan:** See Appendix A of Land Use Ordinance.

7. **Notice of Hearing:** All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.

8. **Supportive Information:** At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. You should be ready to show the following relative to the proposed development:

- a. That it will not materially endanger the public health or safety; and
- b. That it will not substantially injure the value of adjoining or abutting property; and
- c. That it will be in harmony with the area in which it is to be located; and
- d. That it will be in general conformity with the Land Use Plan Thoroughfare Plan, or other plan officially adopted by the City.

9. **Application Fee:** Submit the fee payment with application. The application fee is nonrefundable.

File # 7.194

1 of 2

5/28/21

ADDRESS:

10. Briefly describe Applicants intended use of the property (Applicant must attach a detailed business plan, if applicable):

We are Planning on putting a Cemetery Beside
of our Church. And it will be at the back
of property. Where it will not even be seen.
Hardley. And if we have to we will be glad
to put up A Fence. Where its not in public
view

11. Notarized Signatures:

I certify that all of the information presented by the undersigned in this Application is accurate to the best of my knowledge, information and belief.

Applicant: Dods Chasen Generation 44 Zach Drive Lumberton N.C.
Name Physical Address

Applicant: [Signature]
Signature

STATE OF NORTH Carolina COUNTY OF Robeson

I, Randy Cummings, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 11th day of April, 20 25

[Signature] My Commission Expires: 12/9/29
Notary Public Signature

Owner: Randy Cummings 44 Zach Drive
Name Physical Address

Owner: [Signature]
Signature

STATE OF North Carolina COUNTY OF Robeson

I, Amanda Hammonds, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 11th day of April, 20 25

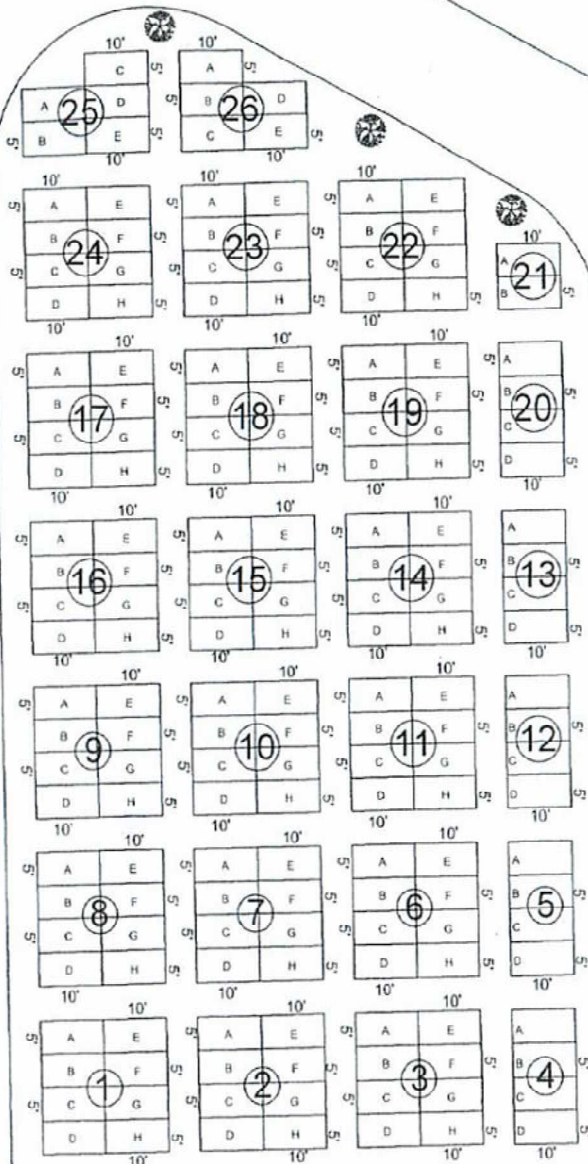
[Signature] My Commission Expires: 12/9/29
Notary Public Signature

File # 7.194

2 of 2

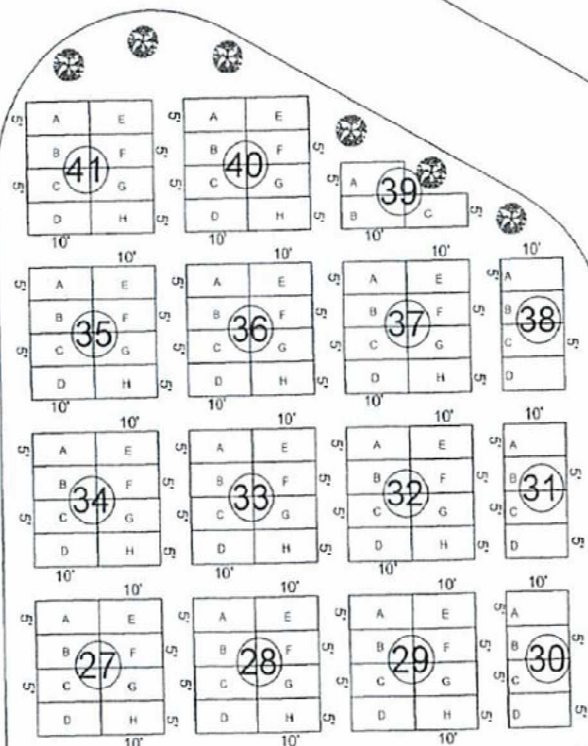
5/28/21

20' ROAD



20' ROAD

20' ROAD



20' ROAD

City of



Lumberton

Planning & Neighborhood Services

Authorization to appear before City Council/Planning Board/Board of Adjustment on the behalf of the property owner(s).

Application File No.: 7.194

Property address: 44 Zach Drive Parcel #: 2401-01-006.01

I, Randy Ray Cummings (property owner), give Dr./Mr./Ms. John the authority to appear before City

Council/Planning Board/Board of Adjustment on my behalf.

Authorized Person (print/type full name): _____

Signature: _____ (Authorized Person)

Authorized Actions: Appear before City Council/Planning Board/Board of Adjustment on property owner's behalf; Answer questions of the board(s) on property owner's behalf; Appear as the applicant.

1. The North Carolina State Bar has opined on more than one occasion, that non-lawyers representing someone else at a quasi-judicial hearing (such as variances and special use permits) constitutes the unauthorized practice of law (The City Attorney can provide copies of these opinions). Simply providing factual or expert testimony as a witness does not violate this rule.
2. If the applicant is not present and the representative does not have sufficient knowledge regarding the application to satisfy the Planning Board or Board of Adjustment, this may cause the request to be tabled or denied.

I, the undersigned, (owner of the above described property), do hereby acknowledge: (1) that I give authority to the authorized person listed above to appear before City Council/Planning Board/Board of Adjustment on my behalf, (2) that this authorization will not waive my rights as the property owner.

STATE OF North Carolina COUNTY OF Robeson

I, Amanda Hammonds, a Notary Public in and for said County and

State, do hereby certify that Randy Cummings personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 10th day of April, 2025.

My Commission Expires: 12/9/29 _____
Notary Public

City of *Lumberton*

Planning & Neighborhood Services

Request for Special Use Permit Gods Chosen Generation– 44 Zach Drive

File# 7.194

PETITIONER(S):	OWNER(S):
Gods Chosen Generation Pastor Randy Cummings 44 Zach Drive Mailing 2100 Norment Road Lumberton, NC 38460 (910) 225-9388	Gods Chosen Generation Pastor Randy Cummings 44 Zach Drive Mailing 2100 Norment Road Lumberton, NC 38460 (910) 225-9388

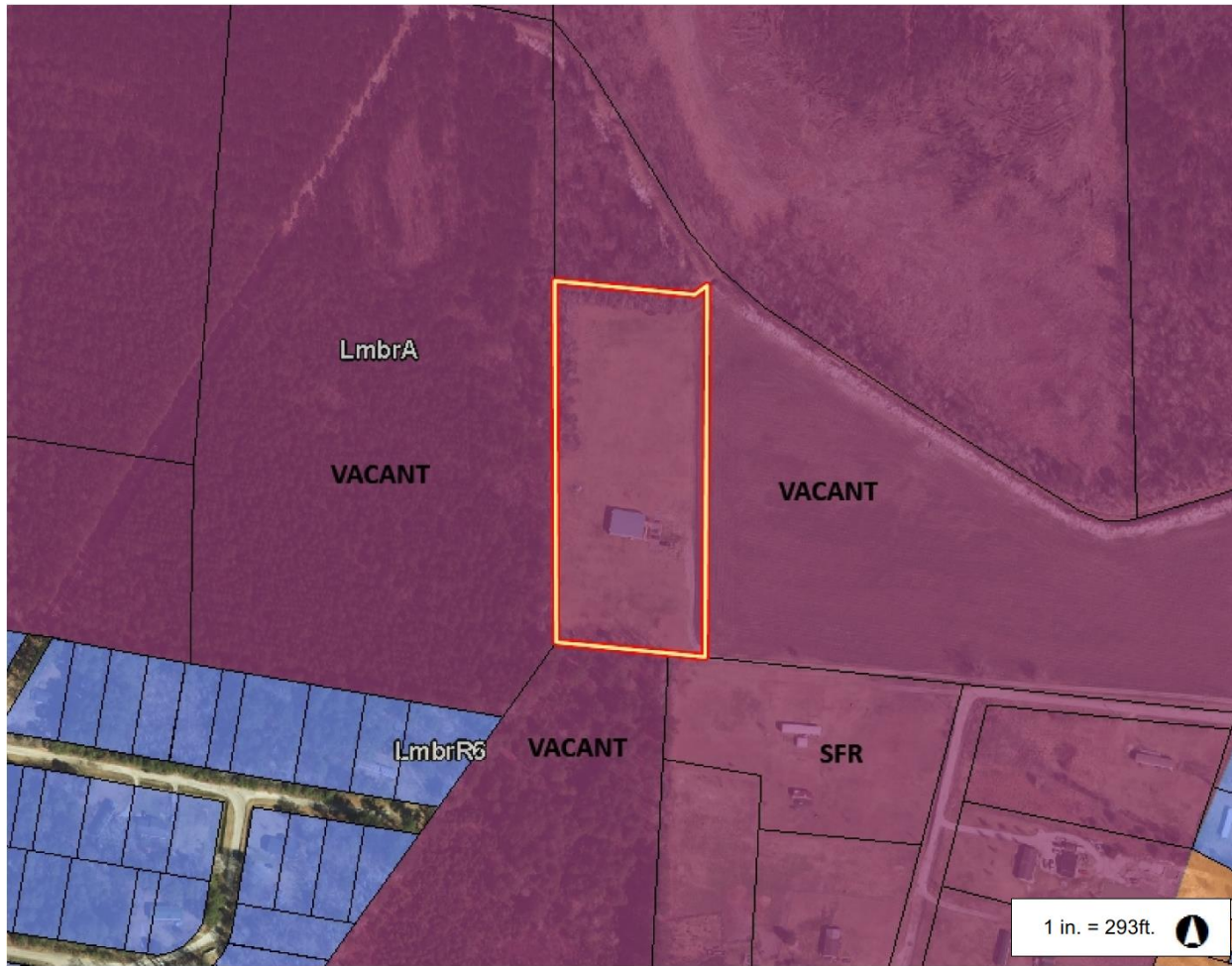
Special Use Permit Request: Gods Chosen Generation Special Use Permit (SUP) for a church cemetery - 44 Zach Drive– ETJ

LOCATION:



City of *Lumberton*
Planning & Neighborhood Services

ZONING:



PROJECT OVERVIEW

Analysis: Pastor Randy Cummings with Gods Chosen Generation is requesting a Special Use Permit (SUP) for a church cemetery to be located at 44 Zach Drive– ETJ.

City of



Lumberton

Planning & Neighborhood Services

PLANNING & ZONING

Owner	Parcel #(s)	Zoning	Square Footage/ Area	PROPOSED USE#
Gods Chosen Generation	24010100601	A, Agriculture	PARCEL – 217,800 SQ.FT./~5 acres	21.100 Cemetery (accessory use to the existing church) Existing Use 5.200 Church

MINIMUM (MAX) SETBACK AND LOT SIZE REQUIREMENTS

Zoning District	Min. Square Footage	Min. Road Frontage	Min. Front Setback (right of way)	Min. Side Setback	Min. Rear Setback	Max. Height
A	40,000 sq. ft.	100 feet	50 feet From all right of ways.	20 feet From all sides with no right of way	20 feet From all sides with no right of way	35 feet

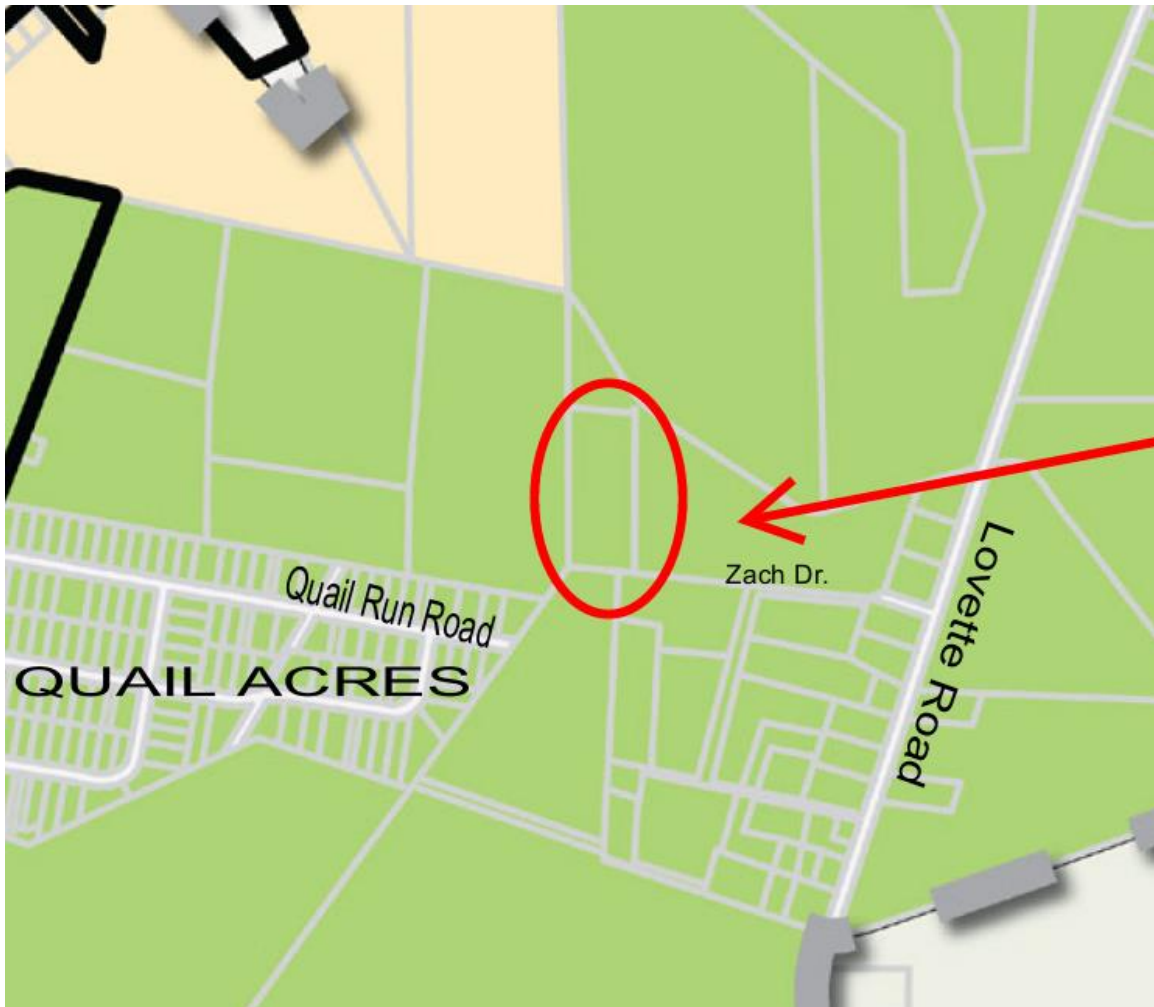
ADJACENT PROPERTY SITE DATA

	Zoning	Land Use
Subject Property	A (Agriculture)	Proposed Use 21.100 Cemetery (accessory use to the existing church) Existing Use 5.200 Church
North	A (Agriculture)	Vacant
South	A (Agriculture)	Single Family Residential
East	A (Agriculture)	Vacant
West	A (Agriculture)	Vacant

City of Lumberton

Planning & Neighborhood Services

EXISTING LOT INFORMATION: Current use of property – Church
Land Use Plan Designation: Rural. Precinct ETJ



RURAL

The Rural land use category is applied to those areas which are situated outside of areas deemed to have the most growth potential. Where development does occur in these areas, it is expected to be at less than 1 dwelling unit per acre and to not be served by the city's wastewater system. While generally agricultural and low density residential in character, certain nonresidential land uses that serve the surrounding rural community are appropriate when sited in locations that do not negatively impact the character, such as small convenience retail uses at rural crossroads or larger scale commercial uses that are intended to directly support the rural agricultural economy.



DEVELOPMENT UPON APPROVAL

If this Special Use Permit is granted the applicant must submit site development plans to the City of Lumberton's Planning Department for approval. All conditions of the Special Use Permit must be addressed prior to the issuance of a Land Use Permit and/or Certificate of Occupancy.

PLANNING STAFF RECOMMENDATION TO COUNCIL

CPC review the request, refer the petition to the May 20, 2025 Planning Board meeting for their review, and authorized the Planning Director to set the date of the public hearing.

Lumberton City Council

Item: VII.K.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 04/28/2025

Subject: Tubbs Contiguous Annexation Emery Road - County

Summary/Background of Subject Matter:

The City of Lumberton submitted an application for contiguous annexation on behalf of the property owner Mary Price Tubbs, for property located on Emery Road parcel #02070201501. The property is zoned County H-1; therefore, a rezoning is required. The City requests the property be zoned M-2, Heavy Manufacturing, which (the rezoning) is addressed in a separate item.

Staff Recommendation:

The City Clerk has certified the sufficiency of the petition and the Planning Department recommends City Council set the date of the public hearing for their June 2025 meeting.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. 2025.04.01 Resolution Directing the City Clerk to Investigate Annexation Parcel # 02070201501
2. Annexation CONTIGUOUS 7-1-23

**RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE SAID PETITION
REQUESTING CONTIGUOUS ANNEXATION FOR MARY PRICE FOR PROPERTY
LOCATED ON EMERY ROAD (Parcel # 02070201501)**

WHEREAS, a petition requesting contiguous annexation of an area described in said petition has been filed with the City Clerk on April 7, 2025.

WHEREAS, the City Clerk, pursuant to Section 2-65 of the Lumberton City Code, has presented said petition to the City Council;

WHEREAS, G.S. 160A-31 provides that the sufficiency of the filed petition shall be investigated by the City Clerk and the results of her investigation certified to the City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lumberton as follows:

That the City Clerk is hereby directed to investigate the sufficiency of the petition for annexation filed with the City Clerk on April 7, 2025, and to certify as soon as possible to the City Council the results of her investigation.

On motion of Council _____, seconded by Council _____, the foregoing Resolution was adopted the 7th day of April, 2025.

Bruce W. Davis, Mayor

ATTEST:

Laney Mitchell-McIntosh, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

E. Holt Moore III, City Attorney

Resolution 2025.04.01

PETITION FOR ANNEXATION OF CONTIGUOUS PROPERTY

NORTH CAROLINA

CITY OF LUMBERTON

ROBESON COUNTY

**IN THE MATTER OF THE ANNEXATION)
OF CERTAIN LANDS INTO THE CITY)
OF LUMBERTON)**

P E T I T I O N

TO THE CITY COUNCIL OF LUMBERTON

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the City of Lumberton.

2. The area to be annexed is contiguous to the City of Lumberton and the boundaries of such territory are described in the attached legal description labeled as Exhibit "A".

3. A map showing the area to be annexed is attached hereto as Exhibit "B".

4. Tax Parcel Number: 0208 01 01402
(Map #) (Block #) (Parcel #)

5. Deed Book: 02334 Page: 0612

This the 28 day of April, 202025.

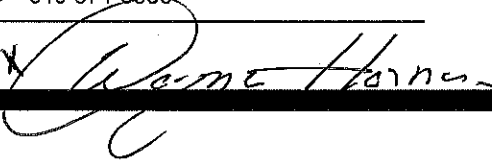
PROPERTY OWNER(S)

Name: City of Lumberton, Wayne Horne (MGR)

Address: PO Box 1388 Lumberton, NC 28359

Telephone: 910-671-3800

EMAIL ADDRESS: whorne@ci.lumberton.nc.us

Signature: 

This certifies that PIN: **0208-01-01402**
is free of any delinquent ad valorem Tax liens
charged to the Robeson County Tax Collector;
but does not certify that the deed description
matches this PIN. NC GS 161-31


Delinquent Tax Collector Signature
Ashley R. Torre

3/3/2022



2022002126

ROBESON CO, NC FEE \$26.00
STATE OF NC REAL ESTATE EXT

\$360.00

PRESENTED & RECORDED:

03-03-2022 12:37:19 PM

VICKI L LOCKLEAR

REGISTER OF DEEDS
BY: KYNIA JOHNSON
DEPUTY

BK: D 2334

PG: 612-614

Tax Stamps: \$360.00

Tax Parcel: 0208-01-01402

Return after Recording to: E. Holt Moore, III, Attorney

Prepared by: E. Holt Moore, III

**NORTH CAROLINA
ROBESON COUNTY**

WARRANTY DEED

This deed, made and entered into on March 1st, 2022, by and between Curtin Realty & Investments, LLC (a N.C. Limited Liability Company) 11900 Goodrich Drive, Charlotte, NC 28273 hereinafter referred to as "Grantor", and the City of Lumberton, P.O. Box 1388, Lumberton, NC 28359, hereinafter referred to as "Grantee";

WITNESSETH:

That for a valuable consideration, the receipt of which is hereby acknowledged, the Grantor has and by these presents does grant, bargain, sell and convey unto the Grantee, his heirs and assigns, all that certain tract or parcel of land lying and being in the City of Lumberton, Lumberton Township, Robeson County, North Carolina, and being more particularly described as follows:

Lying and being in Back Swamp Township, Robeson County, North Carolina, south of and adjacent to Secondary Road 2416 (Emery Road), adjoining the lands of the City of Lumberton (1166/693) on the west & lands of the original tract of which this is a part (585/714) on all other sides and being more particularly described as follows:

Beginning at an iron rod set on the southern right of way line of Emery Road, said iron rod being located South 83 degrees 33 minutes 25 seconds East 400.00 feet and South 22 degrees 26 minutes 06 seconds West 31.21 feet from an iron pipe found in the center of Emery Road, the City of Lumberton's northwest corner and runs thence from said beginning iron rod with the southern right of way line of Emery Road South 83 degrees 57 minutes 42 seconds East 128.93 feet to an NCDOT R/W Disc; thence continuing with said right of way line South 06 degrees 17 minutes 12 seconds West 21.38 feet to an NCDOT R/W Disc; thence continuing with said right of way line South 82 degrees 33 minutes 08 seconds East 72.50 feet to a set iron rod, said iron rod being located North 82 degrees 33 minutes 08 seconds West 229.08 feet from an NCDOT R/W Disc, said R/W Disc having N.C. Grid Coordinates of N: 307428.312', E: 1972252.185'

(NAO 83(2011)Datum); thence with a new line South 17 degrees 59 minutes 48 seconds West 650.48 feet to a set iron rod; thence with a new line South 82 degrees 39 minutes 06 seconds West 288.05 feet to an iron rod set in the western line of the original tract;

Thence with said line and the City of Lumberton's eastern line North 22 degrees 26 minutes 06 seconds East 757.00 feet to the beginning, containing 3.70 acres, more or less

This tract is a portion of the lands described in Deed Book 585, Page 714 recorded in the Robeson County Registry.

This tract is exempt from the Robeson County Subdivision Ordinance under Article V, Section 501, Item "h".

Bearings of the above described tract are referenced to the NC Grid System NAD 83(2011) Datum.

****THIS PROPERTY IS NOT THE PRIMARY RESIDENCE OF THE GRANTOR****

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereunto belonging unto the Grantee, and his heirs and assigns, in fee simple.

And the Grantor covenants with the Grantee, his heirs and assigns 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: and all such easements and restrictions as might appear of record or upon view of the site.

The Grantor has no knowledge of any hazardous waste or underground petroleum storage tanks on this property.

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

In Testimony Whereof, the Grantor has hereunto set his hand and seal the day and year first above written.

Curtin Realty & Investments, LLC

By: W. Curtin
William Curtin, Jr.

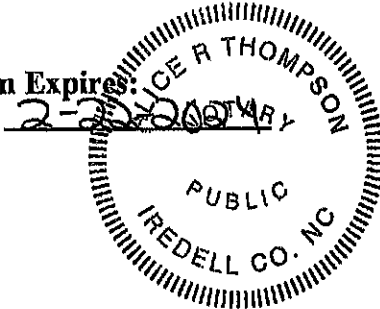
Title: Manager

SEAL-STAMP State of NC - County of Iredell

I, the undersigned Notary Public of the County and State aforesaid, certify that WILLIAM CURTIN, JR. personally came before me this day and acknowledged that he/she is the MANAGER (Title) of Curtin Realty & Investments, LLC and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and Notarial stamp or seal, this 1st day of March 2022.

My Commission Expires:



Alice R Thompson
Notary Public

City of *Lumberton*

Planning & Neighborhood Services

Request for Annexation and Zoning
5.136 & 6.232 City of Lumberton

PETITIONER(S):	OWNER(S):
Name of Petitioner: City of Lumberton	Name of Owner: City of Lumberton
Address: PO Box 1388	Address: PO Box 1388
City/State/Zip: Lumberton, NC 28359	City/State/Zip: Lumberton, NC 28359

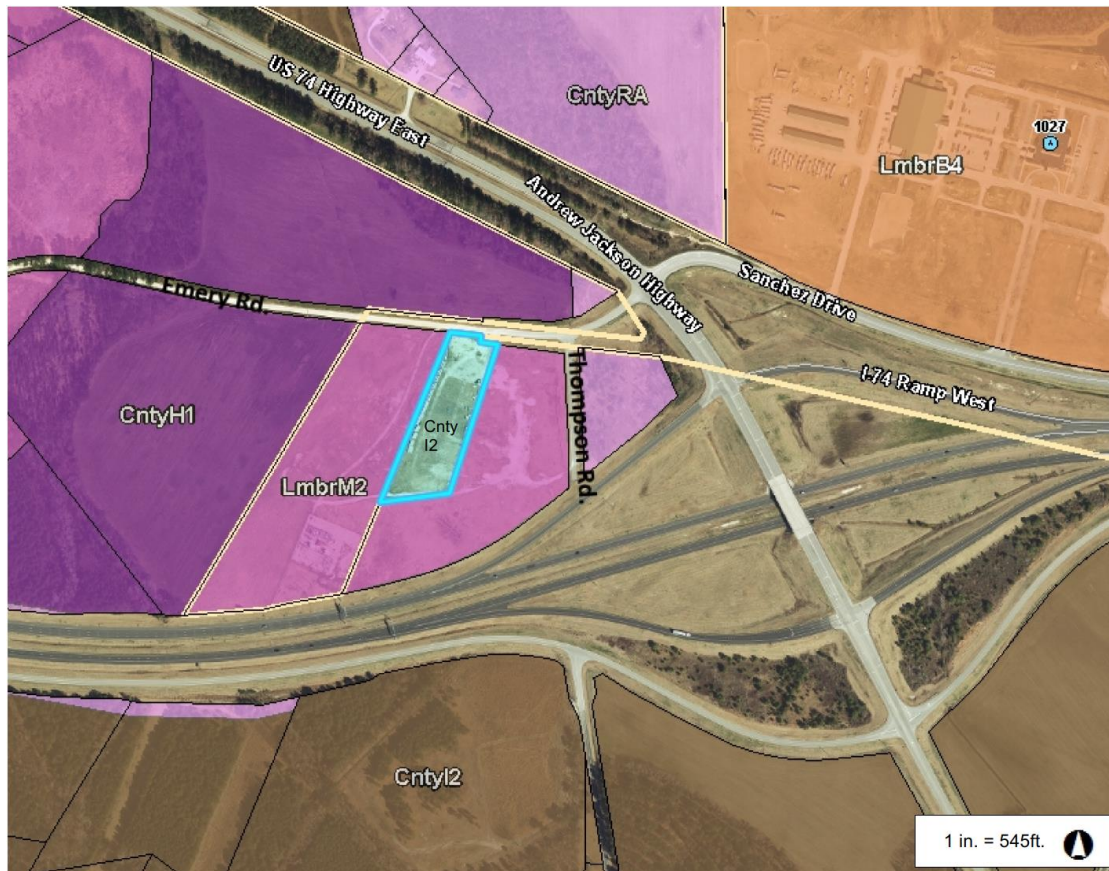
LOCATION: Emery Rd. Parcel # 02080101402



City of *Lumberton*

Planning & Neighborhood Services

Zoning: County I2



STAFF ANALYSIS

PARCEL INFORMATION

Owner	Parcel #(s)	Zoning	Area
City of Lumberton	02080101402	County I-2	~ 3.70 Acres

ADJACENT PROPERTY SITE DATA

	Zoning	Land Use
North	County H-1	Vacant
South	City M-2	Vacant
East	City M-2	Vacant
West	City M-2	City of Lumberton POD #3

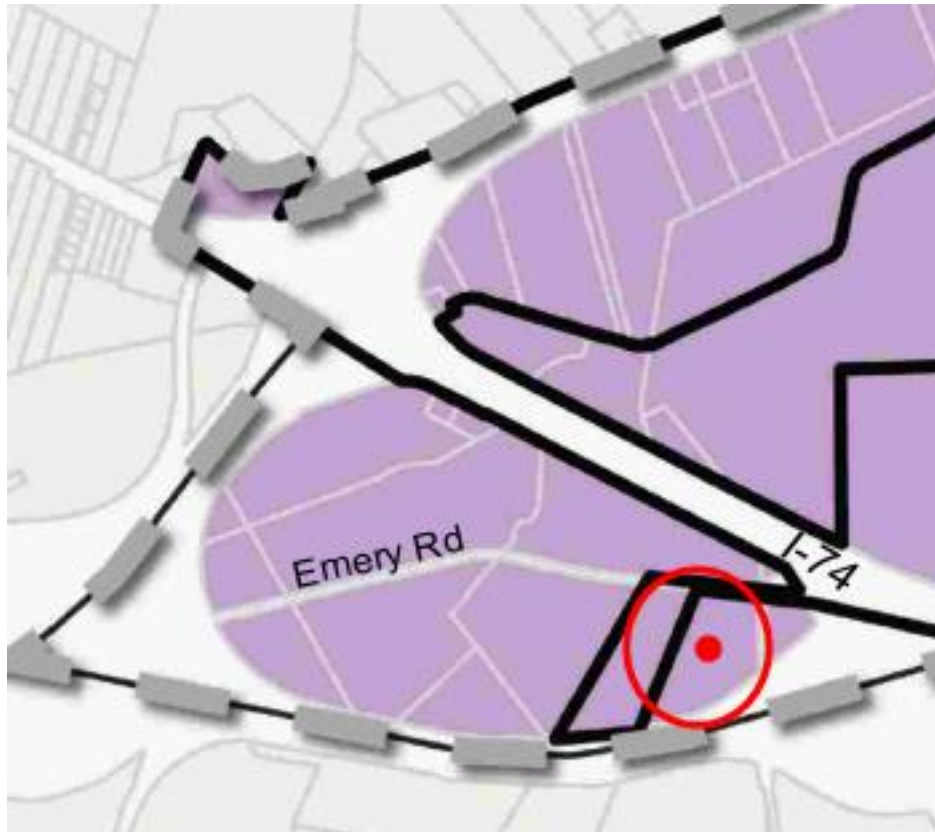
Planning & Neighborhood Services

PROJECT OVERVIEW

Annexation: The City of Lumberton is requesting a contiguous annexation and rezoning (application follows) of property located on Emery Road parcel #02080101402, Deed Bk.. 2334, Pg. #0612. The property is zoned County I-2; therefore, a rezoning is required. The City requests the property be zoned M-2, Heavy Manufacturing.

PLANNING & ZONING

Land Use Plan: The Land Use Plan designates the future use of this parcel as industrial and is located in Robeson County's jurisdiction.



INDUSTRIAL

The Industrial land use category is intended to promote economic development by providing significant freedom in land use for the purposes of manufacturing, assembly, processing, fabrication, transportation, warehousing and logistics at a variety of intensities and scales. While not exclusively industrial in nature, commercial or other nonresidential uses which do not directly support the function of the industrial base within these areas should be discouraged in order to promote the compatible use of land and to preserve this land resource for industries that will promote stable employment growth in the region.

City of



Lumberton

Planning & Neighborhood Services

Flood Zone 'X' Not in 100-YR Floodplain: Area of minimal risk and determined to be outside the 100 and 500-year floodplains.

Map Number: 3710937000K Panel Number: 9370 Panel Effective Date: 12/6/2019

City of Lumberton Annexation/Zoning

Apr 29, 2025



North Carolina Floodplain Mapping Program





Planning & Neighborhood Services

Department Comments: PENDING

Electrical Utilities:

Fire:

Planning: Planning has no comments or concerns.

Police:

Public Works:

Tax:

PLANNING STAFF RECOMMENDATION TO COUNCIL #1 & 2

Recommend City Council direct the City Clerk to investigate said petition and authorize the Planning Director to set the date of the public hearing. .

Lumberton City Council

Item: VII.L.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 05/01/2025

Subject: The City of Lumberton/Tubbs Rezoning Emery Road - County

Summary/Background of Subject Matter:

The City of Lumberton submitted a rezoning application for property located on Emery Road parcel #02070201501. The property is zoned County H-1; therefore, a rezoning is required. The City requests the property be zoned M-2, Heavy Manufacturing.

Staff Recommendation:

CPC review the request, refer the petition to the May 20, 2025 Planning Board meeting for their review, and authorized the Planning Director to set the date of the public hearing. .

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. Tubbs Rezoning Application et al



**DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT**

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the Official Zoning Map of the City of Lumberton, North Carolina be amended as hereinafter described:

(NOTE: Please complete this application by typing or printing legibly.)

1. Applicant:

Owner:

Full Legal Name: City of Lumberton (Wayne Horne, MGR)

Full Legal Name: Mary Price Tubbs

Physical Home Address: 500 N. Cedar St.
Lumberton, NC 28358

Physical Home Address: PO Box 967
Lumberton, NC 28359

Mailing Address: PO Box 1388
Lumberton, NC 28359

Mailing Address: SAME

Telephone: 910-671-3800

Telephone:

Legal Name of Business:

EMAIL: whorne@ci.lumberton.nc.us

2. Description of Property:

Emery Road		00403	0201
(Address)		(Deed Book)	(Page)
64	128	~1,210 feet	~52.4 acres
(Map Book)	(Page)	(Frontage)	(Area)

3. Tax Map Identification Number (parcel number): 02070201501

4. Existing Zoning District Designation of Property: County H-1

5. Requested Zoning District Designation of Property: M-2, Heavy Manufacturing

6. Applicant's Interest In Property (check one): ☐ Owner ☐ Owner's Agent ☐ Lease-to-Own

☐ Tenant ☐ Family member ☒ Other (explain) Purchase Option Agreement

7. Legal Description of Property: Attach a running description of the portion of the property to be rezoned in metes and bounds sufficient to reconstruct the same on the property.

8. Site Map: Attach a map of the property in question.

9. Application Fee: Submit the fee payment with application. The application fee is **nonrefundable**.

1 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

- 10. Applicant's Intended Use of Property (Applicant should attach a detailed business plan which includes the intended use of the property):**

Rezone the property to a City zoning district following the annexation.

2 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File #

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

2

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

11. Notarized Signatures:

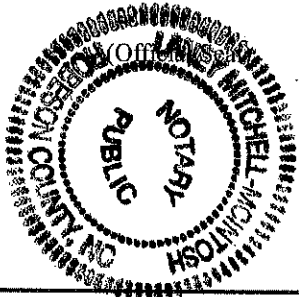
Applicant: Mary Elizabeth Tubbs P.O. Box 967
Full Legal Name (type or print) Home Address

STATE OF North Carolina COUNTY OF Robeson

I, Laney Mitchell-McIntosh a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Applicant: Mary Elizabeth Tubbs
Signature

WITNESS my hand and official seal, this the 15th day of May, 2025.



Laney Mitchell-McIntosh
Official Signature of Notary
Laney Mitchell-McIntosh Notary Public
Notary's printed or typed name

My Commission Expires: 10/19/2025

Owner: _____
Full Legal Name (type or print) Home Address

STATE OF _____ COUNTY OF _____

I, _____, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Owner: _____
Signature

WITNESS my hand and official seal, this the _____ day of _____, 20____.

(Official Seal)

Official Signature of Notary

_____, Notary Public
Notary's printed or typed name

My Commission Expires: _____

3 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

City of



Lumberton

Planning & Neighborhood Services

Request for Annexation & Rezoning
5.135 & 6.233 Tubbs

PETITIONER(S):	OWNER(S):
Name of Petitioner: City of Lumberton	Name of Owner: Mary Price Tubbs
Address: PO Box 1388	Address: PO Box 967
City/State/Zip: Lumberton, NC 28359	City/State/Zip: Lumberton, NC 28359

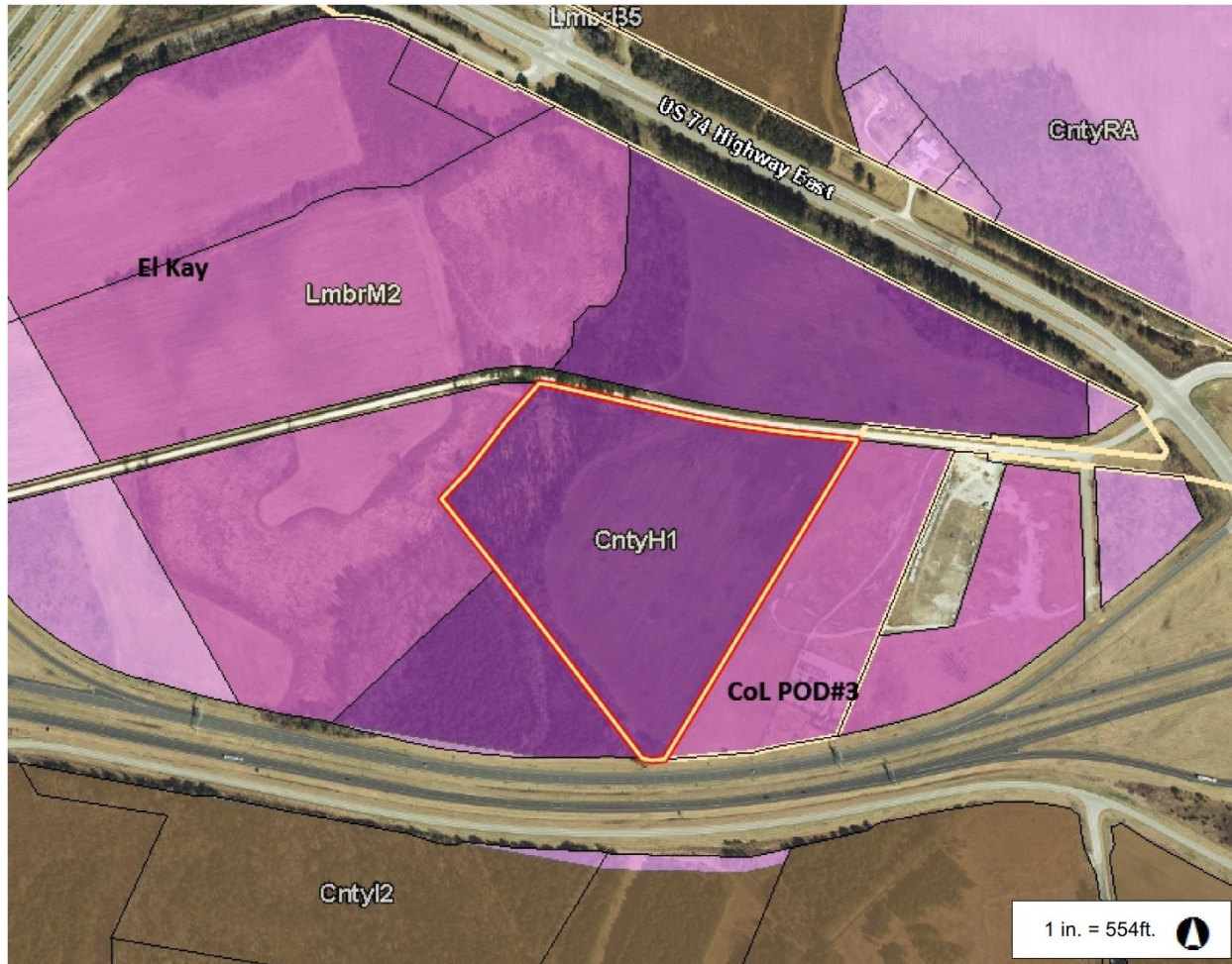
LOCATION: Emery Rd. Parcel # 02070201501



City of *Lumberton*

Planning & Neighborhood Services

Zoning: County H1



City of



Lumberton

Planning & Neighborhood Services

PARCEL INFORMATION

Owner	Parcel #(s)	Zoning	Area
Mary Tubbs	02070201501	County H-1	~ 27 Acres

ADJACENT PROPERTY SITE DATA

	Zoning	Land Use
North	County H-1 City M-2	Vacant Elkay
South	County I-2	Vacant
East	City M-2	City of Lumberton POD #3
West	County H-1 City M-2	Vacant

STAFF ANALYSIS

PROJECT OVERVIEW

Rezoning: The City of Lumberton is requesting to rezone property located on Emery Road parcel #02070201501, Deed Bk. 00403, Pg. #0201/Map Book: 64 Page: 128.

Analysis: The City of Lumberton submitted a rezoning application for property located on Emery Road parcel #02070201501. The property is zoned County H-1; therefore, a rezoning is required. The City requests the property be zoned M-2, Heavy Manufacturing.

City of

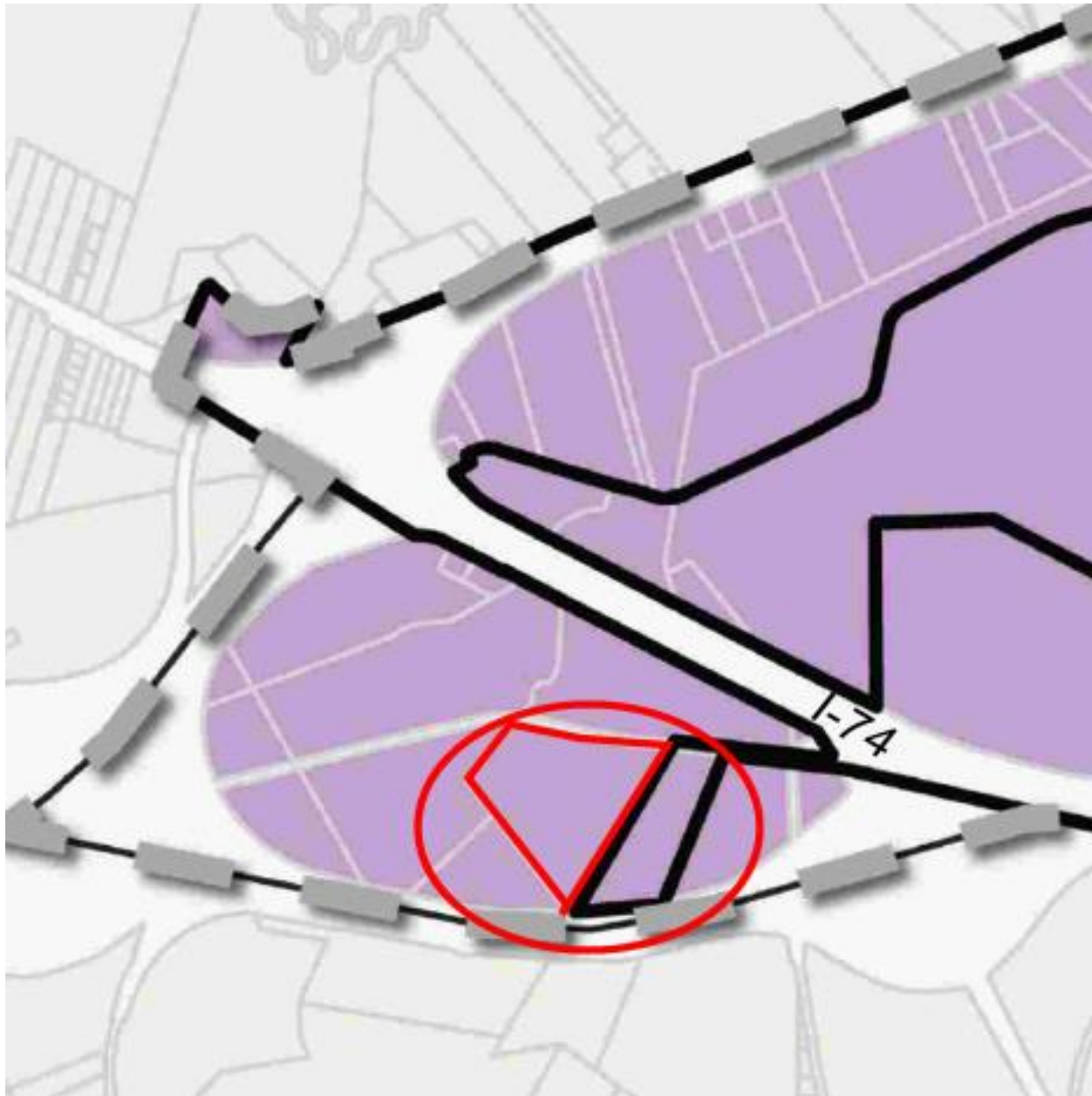


Lumberton

Planning & Neighborhood Services

PLANNING & ZONING

Land Use Plan: The Land Use Plan designates the future use of this parcel as industrial and is located in Robeson County's jurisdiction.



City of Lumberton

Planning & Neighborhood Services

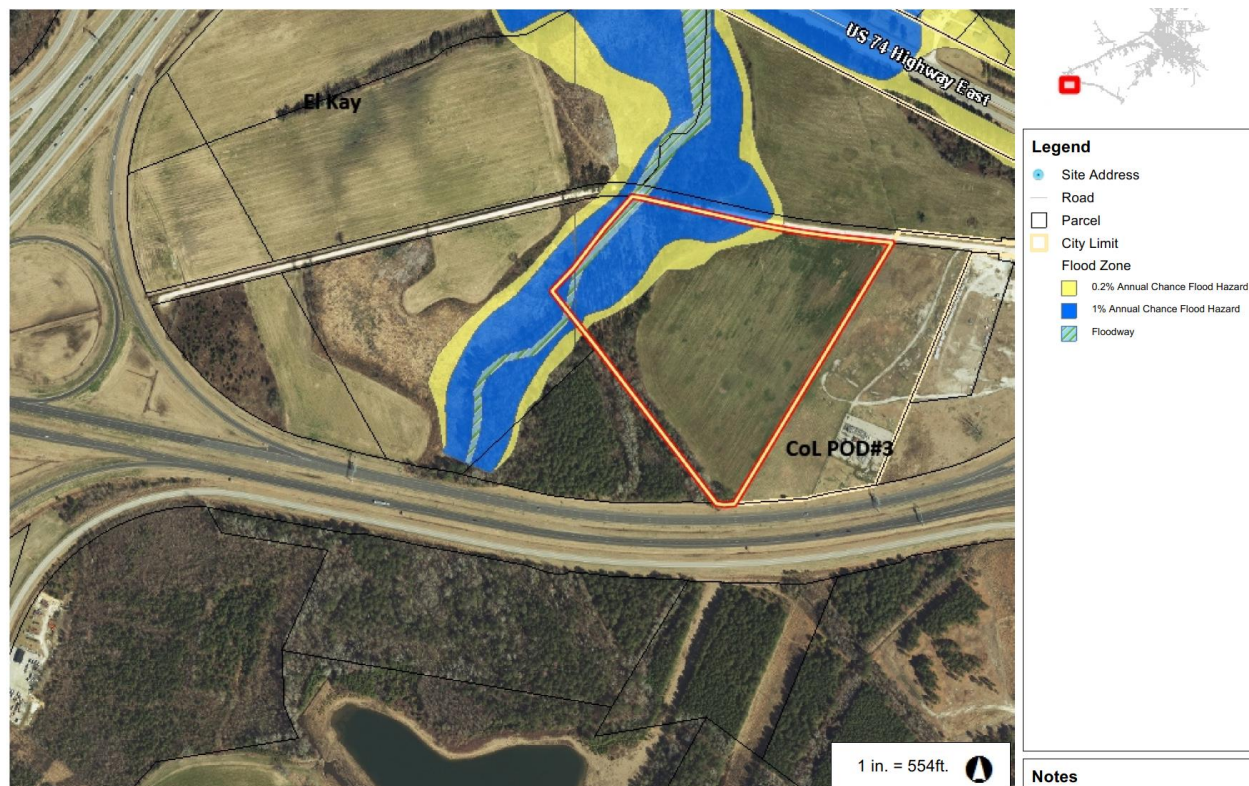
Flood Zone 'X' Not in 100-YR Floodplain: Area of minimal risk and determined to be outside the 100 and 500-year floodplains.

Flood Zone Shaded 'X' in 500-YR Floodplain: 0.2 Percent Annual Chance Flood: The flood that has a 0.2% chance of being equaled or exceeded in any given year. Also known as the 500-year floodplain.

Flood Zone AE in 100-YR Floodplain: Zones AE and A1-A30 are the flood insurance rate zones used for the 1-percent-annual-chance floodplains that are determined for the FIS by detailed methods of analysis. In most instances, BFEs derived from the detailed hydraulic analyses are shown at selected intervals in this zone. Mandatory flood insurance purchase requirements apply.

Flood Zone AE Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Map Number: 3710937000K Panel Effective Date: 12/6/2019





PLANNING STAFF RECOMMENDATION TO COUNCIL

CPC review the request, refer the petition to the May 20, 2025 Planning Board meeting for their review, and authorized the Planning Director to set the date of the public hearing. .

Section 35-141.3 - The I-95 / I-74 Industrial Park Overlay District

1. DEFINITION OF AN OVERLAY PLAN

An overlay plan is generally a plan which is applied over a previously established area(s), establishing additional, stricter standards and criteria for a predetermined area(s). In this case, in order to accomplish the goals described below, some conditions applicable to this overlay district may simply be different (as opposed to necessarily more restrictive only) than those which would ordinarily apply with the underlying zoning.

These standards are in addition to any established ordinances, plans, federal and state regulations, unless otherwise stated.

2. BOUNDARIES OF THE PROJECT AREA

The boundaries of the proposed I-95 / I-74 Industrial Park Overlay Plan (Map #1), "Project Boundary Map" are described in Exhibit "A", attached. *This Plan is the ultimate goal for the City, but the Ordinance may not be applied all at once. For instance, it cannot be applied prior to annexation into the City of any contemplated property.*

3. OBJECTIVE

The Overlay District was created to insure the orderly development of a planned industrial park, strategically located at the critical intersection of Interstates 95 and 74, approximately 85 miles from the port of Wilmington and 25 miles from the inland port at Dillon, SC. The District was also designed (1) to discourage incompatible uses within the industrial park, (2) to provide general appearance guidelines for the construction of buildings within the park, (3) to create conditions which would facilitate and increase the likelihood of any economic incentives which may be available from the state of North Carolina, Robeson County and the City of Lumberton, and (4) to provide a basis for consistent decisions concerning the industrial park.

The objective is to establish a harmonious land use pattern, with adequate planned development of new commercial structures, as well as, create an environment conducive to the development and improvement of properties within the defined I-95 / I-74 Industrial Park. It is intended that these actions will be implemented over time and be coordinated with the needs of new businesses who locate within the industrial park.

4. OVERLAY DISTRICT MAP, PROVISIONS AND REQUIREMENTS

The provisions, restrictions, and requirements, within the district identified on the Project Boundary Map to which the overlay is applied, are as follows:

- (a) The permitted uses and special uses shall remain the same as allowed under the M-2 (Heavy Industrial) zoning district with the exception of the following list of uses which shall be prohibited within the overlay district boundary:
 - i. Body Shops, Auto Repair Shops, Automobile Graveyards, Junkyards, and Automobile Salvage yards.
 - ii. Coal and Wood Yards and Pole Treating Plants
 - iii. Concrete and Asphalt Product Plants

- iv. Contractors Offices and Storage Yards (except those temporarily associated with the construction of a primary facility otherwise allowed)
- v. Farm Machinery Sales and Repairs
- vi. Fertilizer Manufacturing and Sales
- vii. Foundries Producing Iron, Steel Copper, Brass, and Aluminum Products
- viii. Hospitals, Doctor Offices, Medical Clinics and other facilities associated with the medical treatment of patients
- ix. Livestock Sale Barns
- x. Meatpacking and Poultry Processing Plants
- xi. Mining or Quarrying Operations
- xii. Public Elementary and Secondary Schools, and their customary related uses
- xiii. Sawmills, Planing Mills, and Pallet, and Basket Factories
- xiv. Slaughter Houses or Meat Processing Plants
- xv. Off-Premises Advertising Displays and Billboards

(b) Setbacks

In the Overlay District building setbacks shall be a minimum of 50 feet from all property boundary lines for buildings with a maximum height equal to or less than 20 feet. An additional 1 foot of setback distance must be added for every 1 foot of building height above 20 feet. Maximum required building setback shall be 100 feet regardless of building height.

(c) Subdivisions - Lot Sizes

Subdivisions shall be allowed in the Overlay District subject to City ordinances. However, the minimum lot size in the Overlay District shall be 10 acres.

(d) Building Heights

Maximum allowable building height shall be 80 feet measured to the top of roof or parapet wall, whichever is higher. Except that a taller building height may be allowed with the issuance of a Special Use Permit.

(e) Signs – Freestanding, Building Mounted, Directional, and Entrance

(I) Developments shall be limited to one freestanding sign for each property boundary facing a public right-of-way.

- i. A single side of a freestanding sign shall not exceed five-tenths (0.5) square feet in surface area for every linear foot of street frontage along which the sign is primarily oriented and shall not exceed a maximum of 200 square feet.
- ii. Freestanding signs shall not exceed a maximum height of 50 feet.
- iii. Signs may not contain elements which move or are animated, or contain intermittent or flashing lights.
- iv. Minimum setbacks shall be 20 feet from all right-of-way's and 15 feet from property/boundary lines.
- v. Maximum size of directional signs shall be eight (8) square feet and a maximum overall height of six (6) feet and bear no

advertising matter. With the absence of a freestanding sign, directional signs at the entrance may contain identification information (i.e. logo, business name). However, there shall be no more than one such directional sign at each entrance of the facility.

(II) Wall mounted or building signage shall be limited to one sign for each building face.

- i. The maximum building sign area shall not exceed five percent (5%) of the total surface area of the building wall on which the sign is located.
- ii. Building signs shall not be mounted to the roof of a building, nor shall they extend above the parapet, or be mounted in such a way that they extend over a traveled portion of any public area.

(III) One high-rise, interstate sign shall be allowed for properties within 200' of an Interstate right-of-way.

- i. The high-rise, interstate sign shall have a height no greater than one hundred feet (100') measured from the adjacent ground level and shall have a sign area no greater than six square feet (6 ft²) for every foot in vertical height of the sign.
- ii. For developments which utilize a high-rise, interstate sign; this sign shall not reduce the number of freestanding signs allowed under subsection (e)(1).
- iii. Minimum setbacks shall be 20 feet from all right-of-way's and 15 feet from property/boundary lines.
- iv. Notwithstanding any other provisions of this section, a high-rise sign having a height greater than fifty and one-tenth (50.1) feet may be located zero (0) feet from the right-of-way line of an interstate highway only if all portions of the structure of the sign located below fifty (50) feet are located no closer than ten (10) feet from the right-of-way line of an interstate highway.
- v. Changeable copy signs are prohibited.

(IV) Maximum size of entrance signs for subdivisions shall be 64 square feet to allow for multi-tenant signs. Signs must be encased with brick or comparable and approved by the Planning and Neighborhood Services Department.

- i. Changeable copy signs are prohibited.

(i) Parking

Each development shall be required to provide employee and guest parking at a rate of 1.1 spaces for each employee on the maximum shift. Parking stalls shall be a minimum of 9 feet wide by 19 feet long measured from the face of curb to the end of the marked space. Required accessible spaces to meet Federal/State/Local codes shall be included in the stated calculation when determining the total parking count for the development. Driveways and drive aisles shall be a minimum of 24' wide for two-way traffic. All required parking areas and drive aisles shall be surfaced with asphalt, concrete or other

approved hard-surface material that resists potholes and the creation and transfer of undesirable dirt, dust and mud to the public right-of-way.

(j) Storm Water Management

All developments shall be constructed and maintained so that adjacent properties are not unreasonably burdened with surface waters as a result of such developments. More specifically:

- i. No development may be constructed or maintained so that such development unreasonably impedes the natural flow of water from higher adjacent properties across such development, thereby unreasonably causing substantial damage to such higher adjacent properties; and
- ii. No development may be constructed or maintained so that surface waters from such development are unreasonably collected and channeled onto lower adjacent properties at such locations or at such volumes as to cause substantial damage to such lower adjacent properties.

(k) Without limiting the generality of subsection (a) any development covering 5,000 or more square feet of land with an impervious surface shall be required to install a system of storage and controlled release of storm water such that, after development of the site, the calculated peak rate of storm water runoff resulting from a ten-year frequency storm having a duration of one hour shall be no greater than that which would result from a ten-year frequency storm on the same site prior to development.

(l) A reasonable effort must be made by each property developer to consolidate storm water management systems when possible and to allow for such “joint-use” when necessary to assure proper placement and management of said systems. Property developers may negotiate maintenance agreements with adjoining property owners, as well as the local unit(s) of government, to insure perpetual maintenance of the storm water systems for each site.

(m) Uniformity of structures within the overlay district.

- i. Materials for building facades are encouraged to be limited in number to three, one of which will be the predominant material. Preferred major exterior materials include brick or concrete masonry, natural stone masonry, and/or architectural precast panels. Preformed steel and aluminum panel systems shall be permitted but must be complimented by another “accent” material choice. All materials used will reflect a high degree of quality, durability and craftsmanship. Exterior stucco system may be used as trim and accent features in walls.
- ii. Liberal use of glass is encouraged. Glass used shall be tinted or reflective glass with an outdoor reflectance of no more than 20%.
- iii. Exterior building materials will not include painted or stained wood, aluminum or vinyl siding, simulated materials such as adhesive applied brick, etc.
- iv. Building coloration will consist predominantly of a neutral overall color that compliments the building’s surroundings. Accent colors are encouraged and must compliment the overall building color scheme.

- v. Roof and roof appurtenances: All fans, vents, cooling towers, skylights and any equipment located on the roof of any improvement shall be located in a manner to minimize their distraction from the architectural attractiveness of the building. It is suggested that sloping roofs will be screened by flat parapets and sloped to appropriate drains. Pitched roofs with a minimum slope of 6 in 12 will be permitted. Permissible materials for pitched roofs will be limited to standing seam or flat seam configuration metals. Non-weathering metals (i.e., galvanized steel) shall be appropriately painted. A reasonable effort must be made to screen roof appurtenances projecting above the roof, such as exhaust fans, heating and air conditioning units, condensers, electrical equipment, plumbing vents and stacks. Such screening may be achieved by extending exterior walls above the roof to form a parapet or through the use of other opaque walls to be constructed of materials compatible in texture, color and quality with exterior walls of the building.

5. GENERAL REGULATIONS AND CONTROLS

In addition to the regulations of the I-95 / I-74 Industrial Park Overlay District, development must follow the general regulations and controls of the City of Lumberton's Code of Ordinances, the City's Land Use Plan, federal and state regulations. The overlay requirements shall prevail over other inconsistent provisions, to include the following requirements:

- (a) All developments shall be appropriately landscaped and well maintained
- (b) Outside storage shall be properly screened from public view by either an opaque wall, fence or planted vegetation
- (c) No on-street parking shall be allowed for truck staging and/or commercial and passenger vehicles

- (d) No temporary structures shall be allowed on site except during that time of construction
- (e) There shall be no unlawful, unpermitted, or unapproved discharges to air/water
- (f) Site lighting is to be adequate enough for support of normal business operations but shall be “non-polluting” to adjoining properties

6. EXCEPTIONS TO APPLICABILITY, CONFLICTS OF LAW

- (a) Nothing contained herein shall repeal, modify, or amend any federal or state law or regulation, or any ordinance or regulation pertaining thereto except any ordinance which these regulations specifically replace; however, the adoption of this section shall and does amend any and all ordinances, resolutions, and regulations in effect in the City of Lumberton at the time of the adoption of this section that may be construed to impair or reduce the effectiveness of this section or to conflict with any of its provisions.
- (b) It is not intended that these regulations interfere with any legally enforceable easement, covenants or other agreements. However, if the provisions of these regulations impose greater restrictions or higher standards for the use of a building or land, then the provisions of these regulations shall control.

7. PROJECT BOUNDARY DESCRIPTION

A written property description shall be completed once the ordinance is approved and a map shall be included here as well.

- 8. Any provision in this Code section (the overlay ordinance) which would legally be considered a ‘building design element’ under NCGS 160D-702 shall be considered a guideline, and not an outright legal requirement, and shall be discussed with City staff in an effort to ensure as much consistency with the intent of the overlay district as possible.

The following districts are hereby established primarily to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment: M-1 , M-2 and M-3. The M-3 (planned industrial) district is intended to encourage the development of a well-planned industrial park.

I. M-2 Zoning District Permitted Uses

1.600 Temporary emergency, construction, and repair residences

2.113 Convenience stores

2.130 Wholesale sales

2.210 High- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.220 Low- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.230 Wholesale sales

3.120 Offices - Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use

3.210 Operations designed to attract and serve customers or clients on the remises

3.220 Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use

4.120 Majority of dollar volume of business done without walk-in trade Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.200 Operations conducted within or outside fully enclosed building Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.400 Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise and equipment Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above the finished grade.

5.120 Trade or vocational schools

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

5.400 Social, fraternal clubs and lodges, union halls, and similar

6.110 Bowling alley, skating rinks, indoor tennis and squash courts, indoor athletic and exercise facilities and similar uses

6.121 Movie theatres Seating capacity of not more than 300

6.122 Movie theatres Seating capacity 301—999

6.230 Golf driving ranges not accessory to golf courses, par 3 golf courses, miniature golf courses, skateboard parks, water slides, and similar uses

9.300 Motor vehicle repair and maintenance, not including substantial body work

9.400 Motor vehicle painting and body work

9.500 Gas sales

9.600 Car wash

9.700 Motor vehicles, sales, service repair Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

10.210 Storage of goods not related to sale or use of those goods on the same lot where they are stored All storage within completely enclosed structures

10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot

10.400 Storage and parking Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

11.000 Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards

13.610 Temporary Emergency Aid Facilities Located within an existing building and new construction

13.620 Mobile Units (including Recreational Vehicles)

14.110 Agricultural operations, farming excluding livestock

14.200 Silvicultural operations

15.400 Military reserve, national guard centers

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

22.000 Nursery Schools; Day Care Centers

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

24.100 Bus stations

24.200 Train stations

24.300 Taxi stands

25.000 Commercial Greenhouse Operations

27.000 Off- Premises Signs

28.200 Minor Subdivisions

II. M-2 Zoning District Requires a Special Use Permit

4.300 Operations involving decomposition or transformation of material by heat Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

6.130 Coliseums, stadiums and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1,000 people

6.150 Billiard parlors/Pool Halls & Game Centers

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

6.250 Automobile and motorcycle racing tracks

6.260 Drive-in movie theatres

7.300 Institutions (other than halfway houses) where mentally ill persons are confined, intensive residential treatment facilities (Level IV)

7.400 Penal and Correctional Facilities

7.500 Organized Shelters Facilities: 7.510 Type A; 7.520 Type B; & 7.530 Type C

10.220 Storage inside or outside completely enclosed structures

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.300 Mining or quarrying operations, including on-site sales of products

14.400 Reclamation landfill

15.200 Airport

15.300 Sanitary landfill

17.100 Neighborhood Utility Facilities

17.200 Community or regional Utility Facilities

18.300 towers and antennas more than fifty feet in height

21.100 Cemetery

21.200 Crematorium

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

Lumberton City Council

Item: VII.M.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 04/29/2025

Subject: The City of Lumberton Contiguous Annexation Emery Road - County

Summary/Background of Subject Matter:

The City of Lumberton is requesting a contiguous annexation of property located on Emery Road parcel #02080101402, Deed Bk. 2334, Pg. #0612. The property is zoned County I-2; therefore, a rezoning is required. The City requests the property be zoned M-2, Heavy Manufacturing, which will be addressed in a separate item.

Staff Recommendation:

Recommend City Council direct the City Clerk to investigate said petition and authorize the Planning Director to set the date of the public hearing.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. CoL Annexation CONTIGUOUS Emery Rd 4-28-2025

PETITION FOR ANNEXATION OF CONTIGUOUS PROPERTY

NORTH CAROLINA

CITY OF LUMBERTON

ROBESON COUNTY

**IN THE MATTER OF THE ANNEXATION)
OF CERTAIN LANDS INTO THE CITY)
OF LUMBERTON)**

P E T I T I O N

TO THE CITY COUNCIL OF LUMBERTON

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the City of Lumberton.

2. The area to be annexed is contiguous to the City of Lumberton and the boundaries of such territory are described in the attached legal description labeled as Exhibit "A".

3. A map showing the area to be annexed is attached hereto as Exhibit "B".

4. Tax Parcel Number: 0208 01 01402
(Map #) (Block #) (Parcel #)

5. Deed Book: 02334 Page: 0612

This the 28 day of April, 202025.

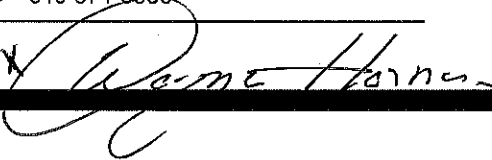
PROPERTY OWNER(S)

Name: City of Lumberton, Wayne Horne (MGR)

Address: PO Box 1388 Lumberton, NC 28359

Telephone: 910-671-3800

EMAIL ADDRESS: whorne@ci.lumberton.nc.us

Signature: 

This certifies that PIN: **0208-01-01402**
is free of any delinquent ad valorem Tax liens
charged to the Robeson County Tax Collector;
but does not certify that the deed description
matches this PIN. NC GS 161-31


Delinquent Tax Collector Signature
Ashley R. Torre

3/3/2022



2022002126

ROBESON CO, NC FEE \$26.00
STATE OF NC REAL ESTATE EXT

\$360.00

PRESENTED & RECORDED:

03-03-2022 12:37:19 PM

VICKI L LOCKLEAR

REGISTER OF DEEDS
BY: KYNIA JOHNSON
DEPUTY

BK: D 2334

PG: 612-614

Tax Stamps: \$360.00

Tax Parcel: 0208-01-01402

Return after Recording to: E. Holt Moore, III, Attorney

Prepared by: E. Holt Moore, III

**NORTH CAROLINA
ROBESON COUNTY**

WARRANTY DEED

This deed, made and entered into on March 1st, 2022, by and between Curtin Realty & Investments, LLC (a N.C. Limited Liability Company) 11900 Goodrich Drive, Charlotte, NC 28273 hereinafter referred to as "Grantor", and the City of Lumberton, P.O. Box 1388, Lumberton, NC 28359, hereinafter referred to as "Grantee";

WITNESSETH:

That for a valuable consideration, the receipt of which is hereby acknowledged, the Grantor has and by these presents does grant, bargain, sell and convey unto the Grantee, his heirs and assigns, all that certain tract or parcel of land lying and being in the City of Lumberton, Lumberton Township, Robeson County, North Carolina, and being more particularly described as follows:

Lying and being in Back Swamp Township, Robeson County, North Carolina, south of and adjacent to Secondary Road 2416 (Emery Road), adjoining the lands of the City of Lumberton (1166/693) on the west & lands of the original tract of which this is a part (585/714) on all other sides and being more particularly described as follows:

Beginning at an iron rod set on the southern right of way line of Emery Road, said iron rod being located South 83 degrees 33 minutes 25 seconds East 400.00 feet and South 22 degrees 26 minutes 06 seconds West 31.21 feet from an iron pipe found in the center of Emery Road, the City of Lumberton's northwest corner and runs thence from said beginning iron rod with the southern right of way line of Emery Road South 83 degrees 57 minutes 42 seconds East 128.93 feet to an NCDOT R/W Disc; thence continuing with said right of way line South 06 degrees 17 minutes 12 seconds West 21.38 feet to an NCDOT R/W Disc; thence continuing with said right of way line South 82 degrees 33 minutes 08 seconds East 72.50 feet to a set iron rod, said iron rod being located North 82 degrees 33 minutes 08 seconds West 229.08 feet from an NCDOT R/W Disc, said R/W Disc having N.C. Grid Coordinates of N: 307428.312', E: 1972252.185'

(NAO 83(2011)Datum); thence with a new line South 17 degrees 59 minutes 48 seconds West 650.48 feet to a set iron rod; thence with a new line South 82 degrees 39 minutes 06 seconds West 288.05 feet to an iron rod set in the western line of the original tract;

Thence with said line and the City of Lumberton's eastern line North 22 degrees 26 minutes 06 seconds East 757.00 feet to the beginning, containing 3.70 acres, more or less

This tract is a portion of the lands described in Deed Book 585, Page 714 recorded in the Robeson County Registry.

This tract is exempt from the Robeson County Subdivision Ordinance under Article V, Section 501, Item "h".

Bearings of the above described tract are referenced to the NC Grid System NAD 83(2011) Datum.

****THIS PROPERTY IS NOT THE PRIMARY RESIDENCE OF THE GRANTOR****

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereunto belonging unto the Grantee, and his heirs and assigns, in fee simple.

And the Grantor covenants with the Grantee, his heirs and assigns 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: and all such easements and restrictions as might appear of record or upon view of the site.

The Grantor has no knowledge of any hazardous waste or underground petroleum storage tanks on this property.

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

In Testimony Whereof, the Grantor has hereunto set his hand and seal the day and year first above written.

Curtin Realty & Investments, LLC

By: _____



William Curtin, Jr.

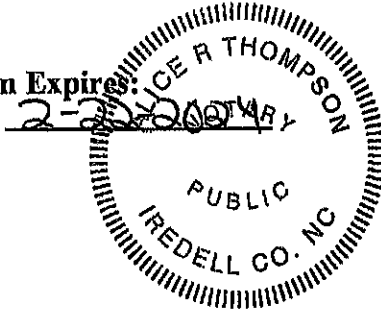
Title: Manager

SEAL-STAMP State of NC - County of Iredell

I, the undersigned Notary Public of the County and State aforesaid, certify that WILLIAM CURTIN, JR. personally came before me this day and acknowledged that he/she is the MANAGER (Title) of Curtin Realty & Investments, LLC and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and Notarial stamp or seal, this 1st day of March 2022.

My Commission Expires:



Alice R Thompson
Notary Public

City of *Lumberton*

Planning & Neighborhood Services

Request for Annexation and Zoning
5.136 & 6.232 City of Lumberton

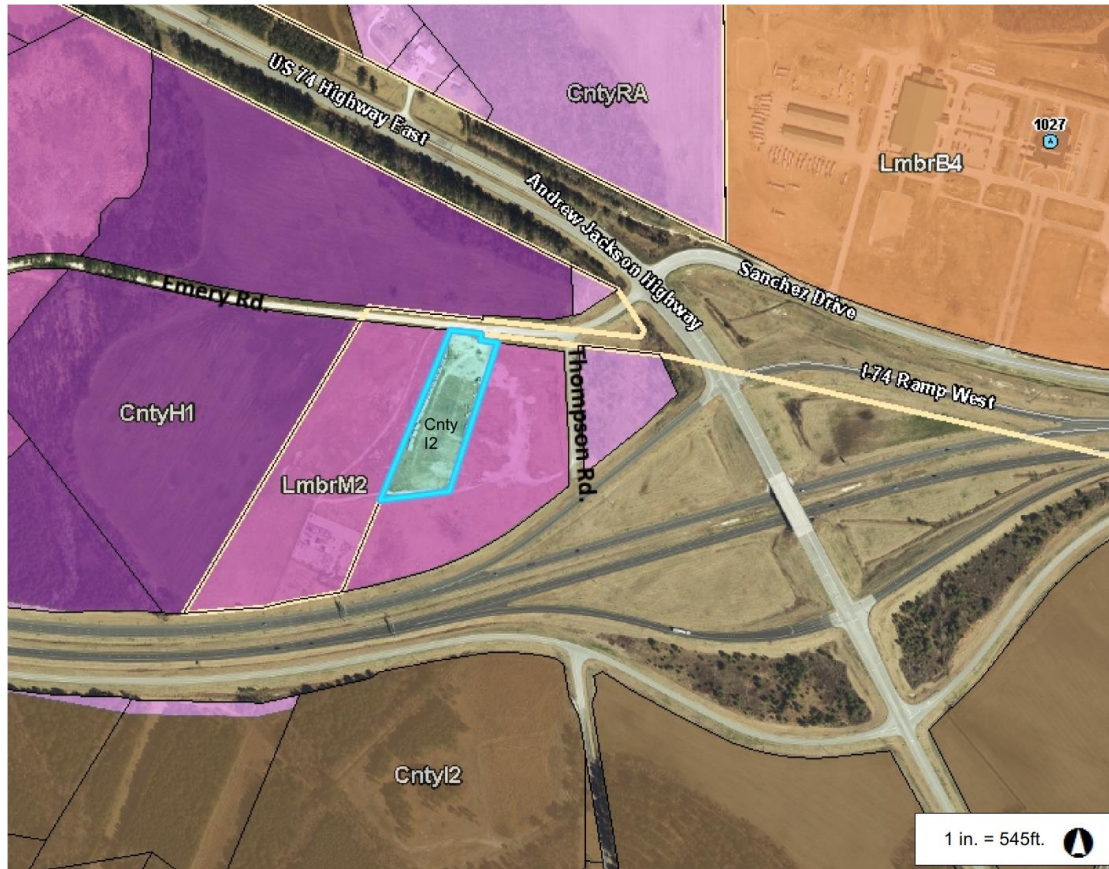
PETITIONER(S):	OWNER(S):
Name of Petitioner: City of Lumberton	Name of Owner: City of Lumberton
Address: PO Box 1388	Address: PO Box 1388
City/State/Zip: Lumberton, NC 28359	City/State/Zip: Lumberton, NC 28359

LOCATION: Emery Rd. Parcel # 02080101402



City of *Lumberton* *Planning & Neighborhood Services*

Zoning: County I2



STAFF ANALYSIS

PARCEL INFORMATION

Owner	Parcel #(s)	Zoning	Area
City of Lumberton	02080101402	County I-2	~ 3.70 Acres

ADJACENT PROPERTY SITE DATA

	Zoning	Land Use
North	County H-1	Vacant
South	City M-2	Vacant
East	City M-2	Vacant
West	City M-2	City of Lumberton POD #3

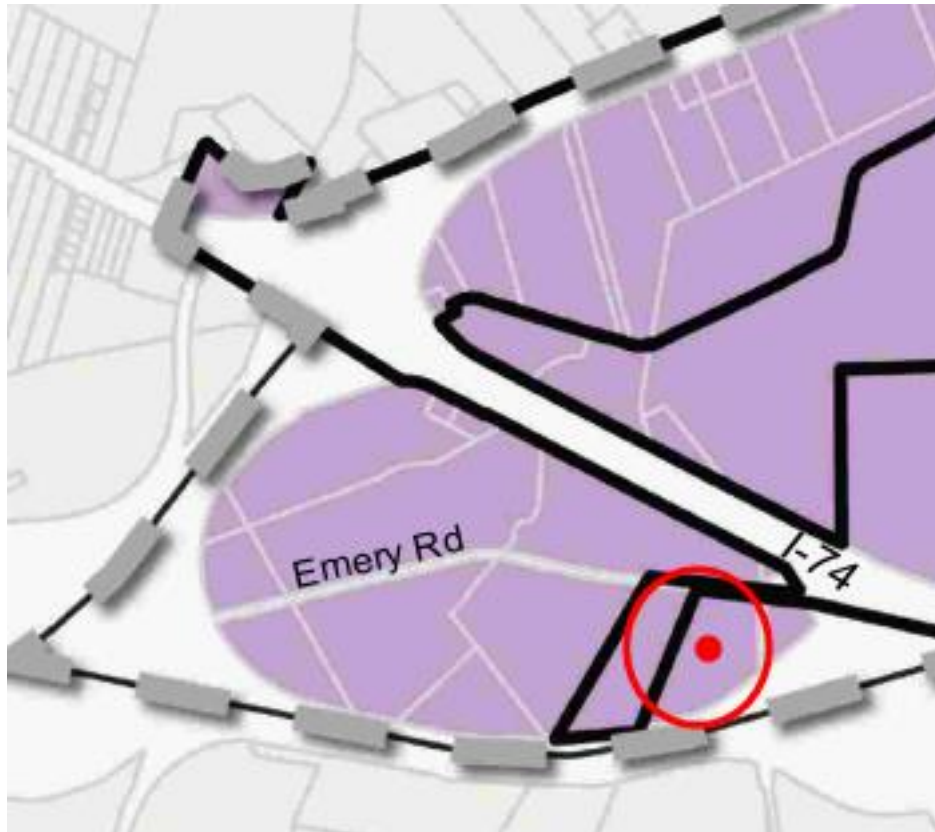
Planning & Neighborhood Services

PROJECT OVERVIEW

Annexation: The City of Lumberton is requesting a contiguous annexation and rezoning (application follows) of property located on Emery Road parcel #02080101402, Deed Bk.. 2334, Pg. #0612. The property is zoned County I-2; therefore, a rezoning is required. The City requests the property be zoned M-2, Heavy Manufacturing.

PLANNING & ZONING

Land Use Plan: The Land Use Plan designates the future use of this parcel as industrial and is located in Robeson County's jurisdiction.



INDUSTRIAL

The Industrial land use category is intended to promote economic development by providing significant freedom in land use for the purposes of manufacturing, assembly, processing, fabrication, transportation, warehousing and logistics at a variety of intensities and scales. While not exclusively industrial in nature, commercial or other nonresidential uses which do not directly support the function of the industrial base within these areas should be discouraged in order to promote the compatible use of land and to preserve this land resource for industries that will promote stable employment growth in the region.

City of



Lumberton

Planning & Neighborhood Services

Flood Zone 'X' Not in 100-YR Floodplain: Area of minimal risk and determined to be outside the 100 and 500-year floodplains.

Map Number: 3710937000K Panel Number: 9370 Panel Effective Date: 12/6/2019

City of Lumberton Annexation/Zoning

Apr 29, 2025



Legend	
Panels	Flood Hazard Areas
Political Areas	Floodway (AE)
Stream Centerline	0.2 % Chance Annual Flood Hazard
Cross Sections	Future Conditions 1% Annual Chance Flood Hazard
Levee	

North Carolina Floodplain Mapping Program





Planning & Neighborhood Services

Department Comments: PENDING

Electrical Utilities:

Fire: No issues for the Fire Department

Planning: Planning has no comments or concerns.

Police: The Lumberton Police Dept. does not have any issues with the Annexation of the property!

Public Works: Public Works has no issue with the annexation.

Tax:

PLANNING STAFF RECOMMENDATION TO COUNCIL #1 & 2

Recommend City Council direct the City Clerk to investigate said petition and authorize the Planning Director to set the date of the public hearing. .

Lumberton City Council

Item: VII.N.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 05/01/2025

Subject: The City of Lumberton Rezoning Emery Road - County

Summary/Background of Subject Matter:

The City of Lumberton is requesting to rezone property located on Emery Road parcel #02080101402, Deed Bk. 2334, Pg. #0612. The property is zoned County I-2; therefore, a rezoning is required. The City requests the property be zoned M-2, Heavy Manufacturing.

Staff Recommendation:

CPC review the request, refer the petition to the May 20, 2025 Planning Board meeting for their review, and authorized the Planning Director to set the date of the public hearing.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. CoL staff report cpcRezoning etal



**DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT**

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the Official Zoning Map of the City of Lumberton, North Carolina be amended as hereinafter described:

(NOTE: Please complete this application by typing or printing legibly.)

1. Applicant:

Owner:

Full Legal Name: City of Lumberton (Wayne Horne, MGR)

Full Legal Name: City of Lumberton (Wayne Horne, MGR)

Physical Home Address: 500 N. Cedar St.
Lumberton, NC 28358

Physical Home Address: 500 N. Cedar St.
Lumberton, NC 28358

Mailing Address: PO Box 1388
Lumberton, NC 28359

Mailing Address: PO Box 1388
Lumberton, NC 28359

Telephone: 910-671-3800

Telephone: 910-671-3800

Legal Name of Business:

EMAIL: whorne@ci.lumberton.nc.us

2. Description of Property:

S/S OF EMERY RD SR# 2416

(Address)

2334

(Deed Book)

0612

(Page)

N/A

(Map Book)

N/A

(Page)

~215 feet

(Frontage)

~3.70 acres

(Area)

3. Tax Map Identification Number (parcel number): 02080101402

4. Existing Zoning District Designation of Property: County I-2

5. Requested Zoning District Designation of Property: M-2, Heavy Manufacturing

6. Applicant's Interest In Property (check one): ☒ Owner ☐ Owner's Agent ☐ Lease-to-Own

☐ Tenant ☐ Family member ☐ Other (explain) _____

7. Legal Description of Property: Attach a running description of the portion of the property to be rezoned in metes and bounds sufficient to reconstruct the same on the property.

8. Site Map: Attach a map of the property in question.

9. Application Fee: Submit the fee payment with application. The application fee is **nonrefundable**.

1 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

- 10. Applicant's Intended Use of Property (Applicant should attach a detailed business plan which includes the intended use of the property):**

Rezone the property to a City zoning district following the annexation.

2 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File #

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

2

City of



Lumberton

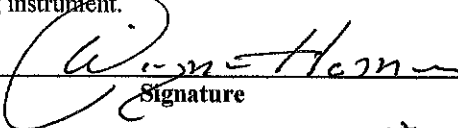
DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

11. Notarized Signatures:

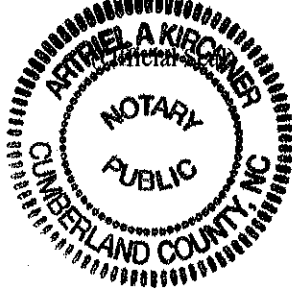
Applicant: Wayne Horne (CM) PO Box 1388; Lumberton NC 28359
Full Legal Name (type or print) Home Address

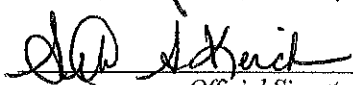
STATE OF North Carolina COUNTY OF Robeson

I, Artriel A. Kirchner, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Applicant: 
Signature

WITNESS my hand and official seal, this the 1st day of May, 2025




Official Signature of Notary

Artriel A. Kirchner, Notary Public
Notary's printed or typed name

My Commission Expires: October 4, 2025

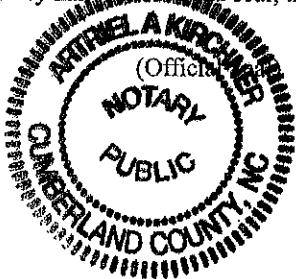
Owner: Wayne Horne (CM) PO Box 1388; Lumberton NC 28359
Full Legal Name (type or print) Home Address

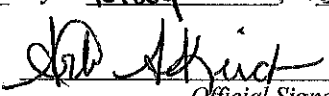
STATE OF North Carolina COUNTY OF Robeson

I, Artriel A. Kirchner, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Owner: 
Signature

WITNESS my hand and official seal, this the 1st day of May, 2025




Official Signature of Notary

Artriel A. Kirchner, Notary Public
Notary's printed or typed name

My Commission Expires: October 4, 2025

3 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____
2/6/2014
Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

City of *Lumberton*

Planning & Neighborhood Services

Request for Rezoning
6.232 City of Lumberton

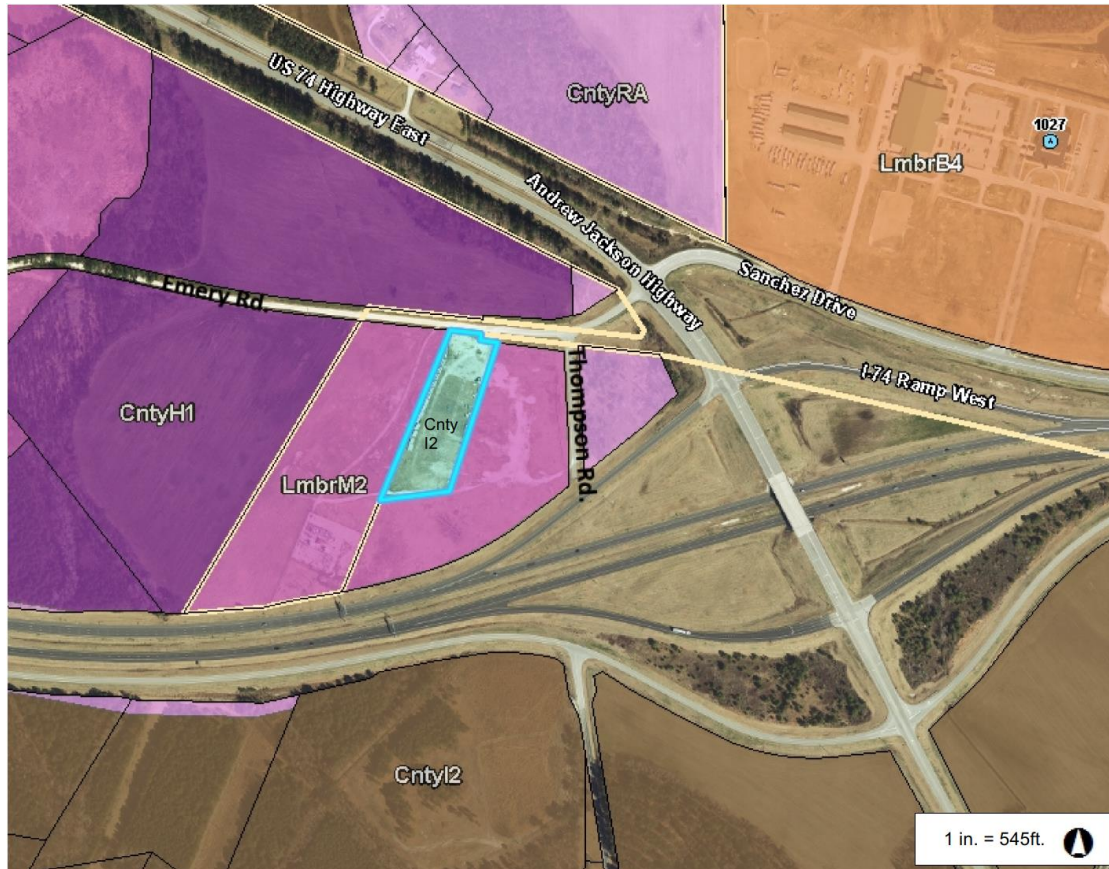
PETITIONER(S):	OWNER(S):
Name of Petitioner: City of Lumberton	Name of Owner: City of Lumberton
Address: PO Box 1388	Address: PO Box 1388
City/State/Zip: Lumberton, NC 28359	City/State/Zip: Lumberton, NC 28359

LOCATION: Emery Rd. Parcel # 02080101402



City of *Lumberton* *Planning & Neighborhood Services*

Zoning: County I2



STAFF ANALYSIS

PARCEL INFORMATION

Owner	Parcel #(s)	Zoning	Area
City of Lumberton	02080101402	County I-2	~ 3.70 Acres

ADJACENT PROPERTY SITE DATA

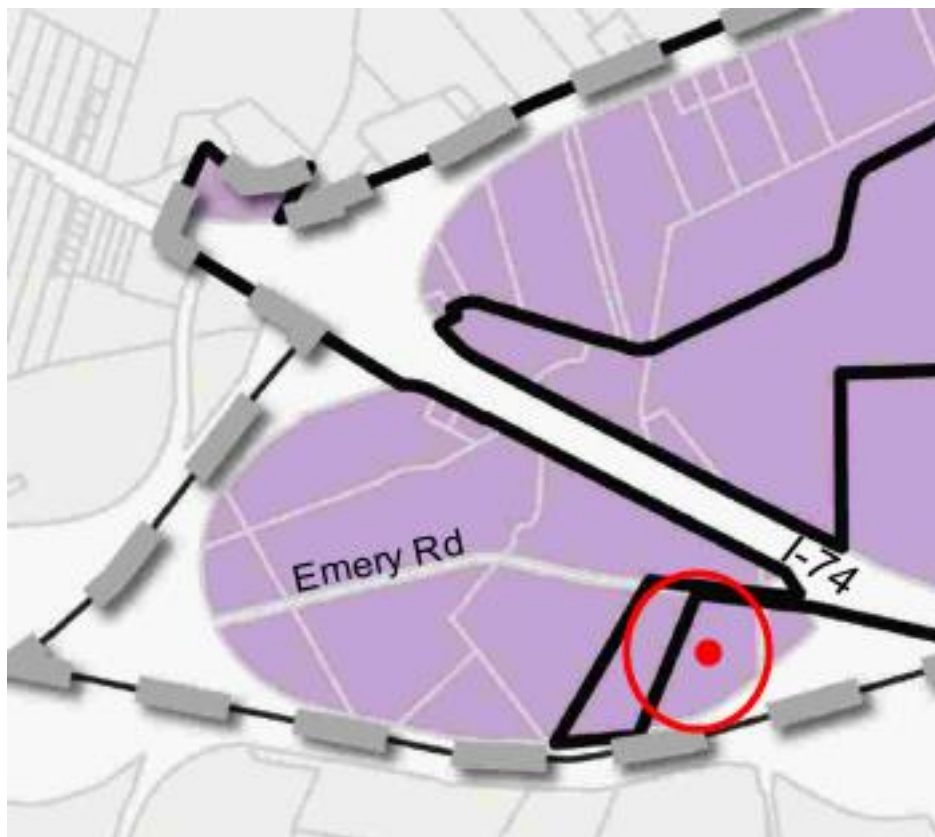
	Zoning	Land Use
North	County H-1	Vacant
South	City M-2	Vacant
East	City M-2	Vacant
West	City M-2	City of Lumberton POD #3

PROJECT OVERVIEW

Rezoning: The City of Lumberton is requesting to rezone property located on Emery Road parcel #02080101402, Deed Bk. 2334, Pg. #0612. The property is zoned County I-2; therefore, a rezoning is required. The City requests the property be zoned M-2, Heavy Manufacturing.

PLANNING & ZONING

Land Use Plan: The Land Use Plan designates the future use of this parcel as industrial and is located in Robeson County's jurisdiction.



INDUSTRIAL

The Industrial land use category is intended to promote economic development by providing significant freedom in land use for the purposes of manufacturing, assembly, processing, fabrication, transportation, warehousing and logistics at a variety of intensities and scales. While not exclusively industrial in nature, commercial or other nonresidential uses which do not directly support the function of the industrial base within these areas should be discouraged in order to promote the compatible use of land and to preserve this land resource for industries that will promote stable employment growth in the region.

City of



Lumberton

Planning & Neighborhood Services

Flood Zone 'X' Not in 100-YR Floodplain: Area of minimal risk and determined to be outside the 100 and 500-year floodplains.

Map Number: 3710937000K Panel Number: 9370 Panel Effective Date: 12/6/2019

City of Lumberton Annexation/Zoning

Apr 29, 2025



North Carolina Floodplain Mapping Program





Planning & Neighborhood Services

PLANNING STAFF RECOMMENDATION TO COUNCIL

CPC review the request, refer the petition to the May 20, 2025 Planning Board meeting for their review, and authorized the Planning Director to set the date of the public hearing.

Section 35-141.3 - The I-95 / I-74 Industrial Park Overlay District

1. DEFINITION OF AN OVERLAY PLAN

An overlay plan is generally a plan which is applied over a previously established area(s), establishing additional, stricter standards and criteria for a predetermined area(s). In this case, in order to accomplish the goals described below, some conditions applicable to this overlay district may simply be different (as opposed to necessarily more restrictive only) than those which would ordinarily apply with the underlying zoning.

These standards are in addition to any established ordinances, plans, federal and state regulations, unless otherwise stated.

2. BOUNDARIES OF THE PROJECT AREA

The boundaries of the proposed I-95 / I-74 Industrial Park Overlay Plan (Map #1), "Project Boundary Map" are described in Exhibit "A", attached. *This Plan is the ultimate goal for the City, but the Ordinance may not be applied all at once. For instance, it cannot be applied prior to annexation into the City of any contemplated property.*

3. OBJECTIVE

The Overlay District was created to insure the orderly development of a planned industrial park, strategically located at the critical intersection of Interstates 95 and 74, approximately 85 miles from the port of Wilmington and 25 miles from the inland port at Dillon, SC. The District was also designed (1) to discourage incompatible uses within the industrial park, (2) to provide general appearance guidelines for the construction of buildings within the park, (3) to create conditions which would facilitate and increase the likelihood of any economic incentives which may be available from the state of North Carolina, Robeson County and the City of Lumberton, and (4) to provide a basis for consistent decisions concerning the industrial park.

The objective is to establish a harmonious land use pattern, with adequate planned development of new commercial structures, as well as, create an environment conducive to the development and improvement of properties within the defined I-95 / I-74 Industrial Park. It is intended that these actions will be implemented over time and be coordinated with the needs of new businesses who locate within the industrial park.

4. OVERLAY DISTRICT MAP, PROVISIONS AND REQUIREMENTS

The provisions, restrictions, and requirements, within the district identified on the Project Boundary Map to which the overlay is applied, are as follows:

- (a) The permitted uses and special uses shall remain the same as allowed under the M-2 (Heavy Industrial) zoning district with the exception of the following list of uses which shall be prohibited within the overlay district boundary:
 - i. Body Shops, Auto Repair Shops, Automobile Graveyards, Junkyards, and Automobile Salvage yards.
 - ii. Coal and Wood Yards and Pole Treating Plants
 - iii. Concrete and Asphalt Product Plants

- iv. Contractors Offices and Storage Yards (except those temporarily associated with the construction of a primary facility otherwise allowed)
- v. Farm Machinery Sales and Repairs
- vi. Fertilizer Manufacturing and Sales
- vii. Foundries Producing Iron, Steel Copper, Brass, and Aluminum Products
- viii. Hospitals, Doctor Offices, Medical Clinics and other facilities associated with the medical treatment of patients
- ix. Livestock Sale Barns
- x. Meatpacking and Poultry Processing Plants
- xi. Mining or Quarrying Operations
- xii. Public Elementary and Secondary Schools, and their customary related uses
- xiii. Sawmills, Planing Mills, and Pallet, and Basket Factories
- xiv. Slaughter Houses or Meat Processing Plants
- xv. Off-Premises Advertising Displays and Billboards

(b) Setbacks

In the Overlay District building setbacks shall be a minimum of 50 feet from all property boundary lines for buildings with a maximum height equal to or less than 20 feet. An additional 1 foot of setback distance must be added for every 1 foot of building height above 20 feet. Maximum required building setback shall be 100 feet regardless of building height.

(c) Subdivisions - Lot Sizes

Subdivisions shall be allowed in the Overlay District subject to City ordinances. However, the minimum lot size in the Overlay District shall be 10 acres.

(d) Building Heights

Maximum allowable building height shall be 80 feet measured to the top of roof or parapet wall, whichever is higher. Except that a taller building height may be allowed with the issuance of a Special Use Permit.

(e) Signs – Freestanding, Building Mounted, Directional, and Entrance

(I) Developments shall be limited to one freestanding sign for each property boundary facing a public right-of-way.

- i. A single side of a freestanding sign shall not exceed five-tenths (0.5) square feet in surface area for every linear foot of street frontage along which the sign is primarily oriented and shall not exceed a maximum of 200 square feet.
- ii. Freestanding signs shall not exceed a maximum height of 50 feet.
- iii. Signs may not contain elements which move or are animated, or contain intermittent or flashing lights.
- iv. Minimum setbacks shall be 20 feet from all right-of-way's and 15 feet from property/boundary lines.
- v. Maximum size of directional signs shall be eight (8) square feet and a maximum overall height of six (6) feet and bear no

advertising matter. With the absence of a freestanding sign, directional signs at the entrance may contain identification information (i.e. logo, business name). However, there shall be no more than one such directional sign at each entrance of the facility.

(II) Wall mounted or building signage shall be limited to one sign for each building face.

- i. The maximum building sign area shall not exceed five percent (5%) of the total surface area of the building wall on which the sign is located.
- ii. Building signs shall not be mounted to the roof of a building, nor shall they extend above the parapet, or be mounted in such a way that they extend over a traveled portion of any public area.

(III) One high-rise, interstate sign shall be allowed for properties within 200' of an Interstate right-of-way.

- i. The high-rise, interstate sign shall have a height no greater than one hundred feet (100') measured from the adjacent ground level and shall have a sign area no greater than six square feet (6 ft²) for every foot in vertical height of the sign.
- ii. For developments which utilize a high-rise, interstate sign; this sign shall not reduce the number of freestanding signs allowed under subsection (e)(1).
- iii. Minimum setbacks shall be 20 feet from all right-of-way's and 15 feet from property/boundary lines.
- iv. Notwithstanding any other provisions of this section, a high-rise sign having a height greater than fifty and one-tenth (50.1) feet may be located zero (0) feet from the right-of-way line of an interstate highway only if all portions of the structure of the sign located below fifty (50) feet are located no closer than ten (10) feet from the right-of-way line of an interstate highway.
- v. Changeable copy signs are prohibited.

(IV) Maximum size of entrance signs for subdivisions shall be 64 square feet to allow for multi-tenant signs. Signs must be encased with brick or comparable and approved by the Planning and Neighborhood Services Department.

- i. Changeable copy signs are prohibited.

(i) Parking

Each development shall be required to provide employee and guest parking at a rate of 1.1 spaces for each employee on the maximum shift. Parking stalls shall be a minimum of 9 feet wide by 19 feet long measured from the face of curb to the end of the marked space. Required accessible spaces to meet Federal/State/Local codes shall be included in the stated calculation when determining the total parking count for the development. Driveways and drive aisles shall be a minimum of 24' wide for two-way traffic. All required parking areas and drive aisles shall be surfaced with asphalt, concrete or other

approved hard-surface material that resists potholes and the creation and transfer of undesirable dirt, dust and mud to the public right-of-way.

(j) Storm Water Management

All developments shall be constructed and maintained so that adjacent properties are not unreasonably burdened with surface waters as a result of such developments. More specifically:

- i. No development may be constructed or maintained so that such development unreasonably impedes the natural flow of water from higher adjacent properties across such development, thereby unreasonably causing substantial damage to such higher adjacent properties; and
- ii. No development may be constructed or maintained so that surface waters from such development are unreasonably collected and channeled onto lower adjacent properties at such locations or at such volumes as to cause substantial damage to such lower adjacent properties.

(k) Without limiting the generality of subsection (a) any development covering 5,000 or more square feet of land with an impervious surface shall be required to install a system of storage and controlled release of storm water such that, after development of the site, the calculated peak rate of storm water runoff resulting from a ten-year frequency storm having a duration of one hour shall be no greater than that which would result from a ten-year frequency storm on the same site prior to development.

(l) A reasonable effort must be made by each property developer to consolidate storm water management systems when possible and to allow for such “joint-use” when necessary to assure proper placement and management of said systems. Property developers may negotiate maintenance agreements with adjoining property owners, as well as the local unit(s) of government, to insure perpetual maintenance of the storm water systems for each site.

(m) Uniformity of structures within the overlay district.

- i. Materials for building facades are encouraged to be limited in number to three, one of which will be the predominant material. Preferred major exterior materials include brick or concrete masonry, natural stone masonry, and/or architectural precast panels. Preformed steel and aluminum panel systems shall be permitted but must be complimented by another “accent” material choice. All materials used will reflect a high degree of quality, durability and craftsmanship. Exterior stucco system may be used as trim and accent features in walls.
- ii. Liberal use of glass is encouraged. Glass used shall be tinted or reflective glass with an outdoor reflectance of no more than 20%.
- iii. Exterior building materials will not include painted or stained wood, aluminum or vinyl siding, simulated materials such as adhesive applied brick, etc.
- iv. Building coloration will consist predominantly of a neutral overall color that compliments the building’s surroundings. Accent colors are encouraged and must compliment the overall building color scheme.

- v. Roof and roof appurtenances: All fans, vents, cooling towers, skylights and any equipment located on the roof of any improvement shall be located in a manner to minimize their distraction from the architectural attractiveness of the building. It is suggested that sloping roofs will be screened by flat parapets and sloped to appropriate drains. Pitched roofs with a minimum slope of 6 in 12 will be permitted. Permissible materials for pitched roofs will be limited to standing seam or flat seam configuration metals. Non-weathering metals (i.e., galvanized steel) shall be appropriately painted. A reasonable effort must be made to screen roof appurtenances projecting above the roof, such as exhaust fans, heating and air conditioning units, condensers, electrical equipment, plumbing vents and stacks. Such screening may be achieved by extending exterior walls above the roof to form a parapet or through the use of other opaque walls to be constructed of materials compatible in texture, color and quality with exterior walls of the building.

5. GENERAL REGULATIONS AND CONTROLS

In addition to the regulations of the I-95 / I-74 Industrial Park Overlay District, development must follow the general regulations and controls of the City of Lumberton's Code of Ordinances, the City's Land Use Plan, federal and state regulations. The overlay requirements shall prevail over other inconsistent provisions, to include the following requirements:

- (a) All developments shall be appropriately landscaped and well maintained
- (b) Outside storage shall be properly screened from public view by either an opaque wall, fence or planted vegetation
- (c) No on-street parking shall be allowed for truck staging and/or commercial and passenger vehicles

- (d) No temporary structures shall be allowed on site except during that time of construction
- (e) There shall be no unlawful, unpermitted, or unapproved discharges to air/water
- (f) Site lighting is to be adequate enough for support of normal business operations but shall be “non-polluting” to adjoining properties

6. EXCEPTIONS TO APPLICABILITY, CONFLICTS OF LAW

- (a) Nothing contained herein shall repeal, modify, or amend any federal or state law or regulation, or any ordinance or regulation pertaining thereto except any ordinance which these regulations specifically replace; however, the adoption of this section shall and does amend any and all ordinances, resolutions, and regulations in effect in the City of Lumberton at the time of the adoption of this section that may be construed to impair or reduce the effectiveness of this section or to conflict with any of its provisions.
- (b) It is not intended that these regulations interfere with any legally enforceable easement, covenants or other agreements. However, if the provisions of these regulations impose greater restrictions or higher standards for the use of a building or land, then the provisions of these regulations shall control.

7. PROJECT BOUNDARY DESCRIPTION

A written property description shall be completed once the ordinance is approved and a map shall be included here as well.

- 8. Any provision in this Code section (the overlay ordinance) which would legally be considered a ‘building design element’ under NCGS 160D-702 shall be considered a guideline, and not an outright legal requirement, and shall be discussed with City staff in an effort to ensure as much consistency with the intent of the overlay district as possible.

The following districts are hereby established primarily to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment: M-1 , M-2 and M-3. The M-3 (planned industrial) district is intended to encourage the development of a well-planned industrial park.

I. M-2 Zoning District Permitted Uses

1.600 Temporary emergency, construction, and repair residences

2.113 Convenience stores

2.130 Wholesale sales

2.210 High- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.220 Low- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.230 Wholesale sales

3.120 Offices - Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use

3.210 Operations designed to attract and serve customers or clients on the remises

3.220 Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use

4.120 Majority of dollar volume of business done without walk-in trade Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.200 Operations conducted within or outside fully enclosed building Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.400 Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise and equipment Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above the finished grade.

5.120 Trade or vocational schools

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

5.400 Social, fraternal clubs and lodges, union halls, and similar

6.110 Bowling alley, skating rinks, indoor tennis and squash courts, indoor athletic and exercise facilities and similar uses

6.121 Movie theatres Seating capacity of not more than 300

6.122 Movie theatres Seating capacity 301—999

6.230 Golf driving ranges not accessory to golf courses, par 3 golf courses, miniature golf courses, skateboard parks, water slides, and similar uses

9.300 Motor vehicle repair and maintenance, not including substantial body work

9.400 Motor vehicle painting and body work

9.500 Gas sales

9.600 Car wash

9.700 Motor vehicles, sales, service repair Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

10.210 Storage of goods not related to sale or use of those goods on the same lot where they are stored All storage within completely enclosed structures

10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot

10.400 Storage and parking Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

11.000 Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards

13.610 Temporary Emergency Aid Facilities Located within an existing building and new construction

13.620 Mobile Units (including Recreational Vehicles)

14.110 Agricultural operations, farming excluding livestock

14.200 Silvicultural operations

15.400 Military reserve, national guard centers

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

22.000 Nursery Schools; Day Care Centers

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

24.100 Bus stations

24.200 Train stations

24.300 Taxi stands

25.000 Commercial Greenhouse Operations

27.000 Off- Premises Signs

28.200 Minor Subdivisions

II. M-2 Zoning District Requires a Special Use Permit

4.300 Operations involving decomposition or transformation of material by heat Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

6.130 Coliseums, stadiums and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1,000 people

6.150 Billiard parlors/Pool Halls & Game Centers

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

6.250 Automobile and motorcycle racing tracks

6.260 Drive-in movie theatres

7.300 Institutions (other than halfway houses) where mentally ill persons are confined, intensive residential treatment facilities (Level IV)

7.400 Penal and Correctional Facilities

7.500 Organized Shelters Facilities: 7.510 Type A; 7.520 Type B; & 7.530 Type C

10.220 Storage inside or outside completely enclosed structures

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.300 Mining or quarrying operations, including on-site sales of products

14.400 Reclamation landfill

15.200 Airport

15.300 Sanitary landfill

17.100 Neighborhood Utility Facilities

17.200 Community or regional Utility Facilities

18.300 towers and antennas more than fifty feet in height

21.100 Cemetery

21.200 Crematorium

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

Lumberton City Council

Item: VII.O.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: Finance

Submission Date: 05/02/2025

Subject: Reimbursement Resolution for AMI Project

Summary/Background of Subject Matter:

This resolution is suggested for the purpose of allowing the City to reimburse itself from loan proceeds for AMI project-related expenses incurred prior to the closing on AMI financing. This is required by NC General Statute and IRS guidelines.

Staff Recommendation:

Staff recommends the Council approve the resolution for reimbursement.

City Manager's Comments:

Signature:

Department: Finance

ATTACHMENTS:

1. Reimbursement Resolution

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LUMBERTON, NORTH CAROLINA REGARDING A CITY CAPITAL
PROJECT INCLUDING DECLARING ITS INTENTION TO REIMBURSE
ITSELF FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT
FINANCINGS FOR CERTAIN EXPENDITURES MADE AND/OR TO BE
MADE IN CONNECTION WITH THE PROJECT**

WHEREAS, the City of Lumberton, North Carolina (**the “City”**) is a municipal corporation organized and existing under the laws of the State of North Carolina; and

WHEREAS, the City has paid beginning no earlier than 60 days prior to the date of adoption of this resolution, and will pay, on and after the date hereof, certain expenditures (**“Expenditures”**) for the design, acquisition and equipping of a City of Lumberton capital project, further described on Exhibit A attached hereto (**the “Project”**); and

WHEREAS, the City Council of the City (**the “Council”**) has determined that those moneys previously advanced no earlier than 60 days prior to the date of adoption of this resolution and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the City for the Expenditures from the proceeds of one or more issues of tax-exempt financing (**the “Financing”**).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL AS FOLLOWS:

Section 1. The Council hereby declares the City’s intent to reimburse the City with the proceeds of the Financing for the Expenditures with respect to the Project made on and after the date referenced above. The City reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Financing.

Section 2. Each Expenditure was and will be either (a) of a type properly chargeable to capital account under general federal income tax principles (determined in each case as of the date of the Expenditures), (b) a cost of issuance with respect to the Financing, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the City so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the City.

Section 3. The maximum principal amount of the Financing expected to be issued for the Project is \$7,500,000.

Section 4. The City will make a reimbursement allocation, which is a written allocation by the City that evidences the City's use of proceeds of the Financing to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The City recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 5. The actions of the City Manager, the City Finance Officer and other agents and representatives of the City in furtherance of financing the Project, are approved, ratified and confirmed.

Section 6. This resolution shall take effect immediately upon its passage.

Council Member _____ seconded the motion, and members of the Council voted as follows:

Yes -

No -

Absent -

Abstained -

EXHIBIT A

The design, acquisition and equipping of advanced metering equipment and related infrastructure for water and sewer system utility and electric system utility purposes.

* * * * *

The undersigned Clerk of the City of Lumberton, North Carolina, certifies that the foregoing is a correct and complete copy of a resolution duly adopted by the City Council at a regular meeting duly called and held on _____, 2025. A quorum was present and acting throughout such meeting. Such resolution has not been repealed, revoked, rescinded or amended, but remains in full effect as of today.

WITNESS my signature and the seal of the City of Lumberton, North Carolina, this ____ day of _____, 2025.

[SEAL]

City Clerk
City of Lumberton, North Carolina

Lumberton City Council

Item: VII.P.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: City Attorney

Submission Date: 05/01/2025

Subject: Consideration of Whistleblower Policy - JAG Grant Requirement

Summary/Background of Subject Matter:

The \$50,000 Byrne JAG Grant for which the Police Department is applying (listed elsewhere on this agenda), requires certain policies of all recipients. One of these is a whistle-blower policy; this is a common policy which is designed to prohibit and/or address retaliation against persons who report certain types of illegal or inappropriate activity. Attached is the proposed policy, which staff tried to make as simple and straightforward as possible. There are similar provisions at the state and federal levels.

Staff Recommendation:

Approve whistleblower policy.

City Manager's Comments:

Signature:

Department: City Attorney

ATTACHMENTS:

1. whistleblowerpolicy_0001

City of Lumberton Whistleblower Policy (Fraud-Focused)

Purpose:

The City of Lumberton is committed to transparency, integrity, and accountability. This policy encourages employees to report any suspected fraud, waste, or abuse without fear of retaliation.

What to Report:

Fraud includes, but is not limited to:

- Theft or misuse of city funds or property
- Falsification of documents or financial records
- Conflicts of interest
- Bribery or kickbacks
- Improper use of city resources

How to Report:

Employees can report concerns in the following ways:

- Directly to a supervisor or department head
- To the Human Resources Department: (910) 671-3834

Reports can be made anonymously, though providing your name helps us investigate more effectively.

Protection from Retaliation:

Any employee who reports suspected fraud in good faith is protected from retaliation. This means no demotion, termination, harassment, or other negative consequences for speaking up.

Investigation:

All reports will be reviewed promptly and investigated confidentially. Disciplinary action, including termination or legal consequences, may result if fraud is confirmed.

Responsibility:

It is every employee's responsibility to help protect city resources. Suspected fraud must be reported—it's part of our commitment to ethical public service.

Lumberton City Council

Item: VII.Q.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: City Attorney

Submission Date: 05/01/2025

Subject: Data Breach Policy - Requirement of JAG Grant

Summary/Background of Subject Matter:

As part of the \$50,000 JAG Grant, for which the Police Department is applying for 16 VIPER Radios, the granting authority requires certain policies, and one of those is a data breach policy. This would just address how the City handles breaches of private electronic information. Staff has drafted a policy for your consideration.

Staff Recommendation:

Approve data breach policy.

City Manager's Comments:

Signature:

Department: City Attorney

ATTACHMENTS:

1. DataBreachPolicy



City of Lumberton

Post Office Box 1388
500 North Cedar Street
LUMBERTON, NC 28359-1388
910-671-3800

The City of Lumberton has implemented the following procedures to follow in the event of a data breach involving personally identifying information (PII) or other confidential information maintained on personal computers, agency networks, or internet programs used by staff and volunteers.

The following City of Lumberton MIS staff have key responsibility for implementing and executing the data breach procedures:

- Travis Branch (910-671-3813; 910-374-4066)
- Alex Collins (910-671-3973; 910-740-6100)

In an effort to prevent a breach of data and PII, City of Lumberton has implemented the following measures to prevent the breach of data:

- Next Generation Firewall with Intrusion Prevention System
- Installed Antivirus with Ransomware protection
- Law Enforcement Support to locate and apprehend perpetrators.

City of Lumberton has identified the following items as critical systems and files that will be uploaded to a back-up system on a monthly basis:

- Customer Files
- Customer Account Files
- Agency financial records
- Personnel files and documentation

In the event of a data breach or imminent breach of PII data, in order to contain the data breach and minimize the extent of the intrusion:

- Disconnect the affected and related systems or networks from Internet access.
- Contact City of Lumberton MIS staff to notify them of the data breach or imminent breach of PII data.
- Document date and time the breach occurred, what files the user was accessing at the time of the breach, the breach team member contacted, and actions taken to secure data.
- Contact City of Lumberton MIS staff to detect and remove the malware or other information related to the breach.
- Notify the affected parties within 72 hours of the breach occurrence or detection of breach/recognition of imminent breach.
- Review virus/malware/other protective software to review system vulnerabilities and increase the level of protection for the system.
- If possible, reimage the system and restore from backup files.



City of Lumberton

Post Office Box 1388
500 North Cedar Street
LUMBERTON, NC 28359-1388
910-671-3800

Following the incident City of Lumberton staff will review procedures to determine if any actions by the user or the team contributed to the data breach. Staff will be updated on policies to protect against data breaches or imminent breaches of PII data.

City of Lumberton MIS staff will review software, updates, and software/data protection programs to improve the security of the data and operating system to prevent further incidents. Information related to the data breach will be documented on the incident log, repairs or modifications implemented will be included on the log and kept in a secure location.

If necessary, the management team will review procedures and make necessary changes to the procedures to improve the security of PII and other secure information.

Lumberton City Council

Item: VII.R.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: City Attorney

Submission Date: 05/01/2025

Subject: Consideration of provision allowing chickens in City Code.

Summary/Background of Subject Matter:

This a brief discussion item. Councilwoman Higley has received several requests that the City allow chickens in the City limits. Currently chickens are not allowed. These residents contend that allowing a maximum of 8 chickens, with no roosters, would provide a steady food source for those who otherwise are struggling to sustain themselves. We have chickens (chicks) at the Sanderson Farms hatchery and at some retail facilities like Tractor Supply; these items could be addressed simultaneously if Council were inclined to address this topic at all. Relevant staff will be present to answer questions at the Council Meeting.

Staff Recommendation:

Advise whether Council wishes staff to bring back a draft ordinance revision allowing chickens within the City limits.

City Manager's Comments:

Signature:

Department: City Attorney

ATTACHMENTS:

None

Lumberton City Council

Item: VII.S.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: City Manager

Submission Date: 05/01/2025

Subject: Carolina Civic Center - May Change Orders

Summary/Background of Subject Matter:

At its April meeting, City Council approved a series of change orders to the Carolina Civic Center Annex project and received a briefing from staff on the status of construction as well as the financial picture. During this meeting, Deputy City Manager Brandon Love detailed the latest round of change orders and discussed the anticipation of some final change orders in the coming months. Please find attached May's list of both additive and deductive change orders for the Carolina Civic Center Annex project in the amount of \$35,136.72. Funding is still within the budget allocated to the project, and we do not anticipate the need for additional financing at this time.

Staff Recommendation:

Approved the attached list of Change Orders #31-36 for the Carolina Civic Center Annex project.

City Manager's Comments:

Signature:

Department: City Manager

ATTACHMENTS:

1. Carolina Civic Center_May Change Orders_5-1-25

Carolina Civic Center			
Construciton Cost Breakdown			
Pending Change Orders			
5/1/2025			
Change Orders			Accept
#31	Toilet Accessory Credit	\$ (6,532.90)	Yes
#32	Entry Soffit EIFS	\$ 3,363.75	Yes
#33	Knox Box	\$ 744.57	Yes
#34	Additional Catch basin at corner of 3rd St-Chestnut	\$ 16,563.45	Yes
#35	Subslab voids in existing lobby	\$ 14,403.75	Yes
#36	Rear alley - connect to storm drain	\$ 6,594.10	Yes
	Total Change Orders	\$35,136.72	

Lumberton City Council

Item: VII.T.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: City Council

Submission Date: 04/24/2025

Subject: Colors of Life Community Development Summer Day Camp

Summary/Background of Subject Matter:

Members of council Carroll and Higley received a request from Leon Burden, CEO of Colors of Life, seeking sponsorship for the Annual Colors of Life Community Development Summer Day Camp, scheduled to run from June 9, 2025, through August 2025 at the Godwin Heights Community Building. Both council members would like to contribute \$100 each of Community Revitaization Funds to this event.

Staff Recommendation:

That Council approve the CRF as indicated above.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: VII.U.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: City Council

Submission Date: 05/02/2025

Subject: Approve the designation of \$300 of CRF to the Lumberton Robeson County Chapter of Las Amigas Inc. for the Senior Brunch as part of the Juneteenth Celebration

Summary/Background of Subject Matter:

Councilman Cantey would like to designate \$200 of CRF and Councilman Douglas requests \$100 of CRF to Lumberton Robeson County Chapter of Las Amigas Inc., in support of the Senior Brunch as part of the Juneteenth Celebration.

Staff Recommendation:

Designation \$300.00 of CRF from Precinct 5 to LRCC of Las Amigas, PO Box 2144, Lumberton, NC 28359 as indicated above.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: VII.V.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: City Council

Submission Date: 05/02/2025

Subject: Approve the designation of \$400.00 of Community Revitalization Funds to W.H. Knuckles Elementary School for the Positive Behavioral Intervention Support Program in Precinct 5

Summary/Background of Subject Matter:

Councilman Cantey requests \$400 and Councilman Douglas requests \$200.00 of Community Revitalization Funds for W.H. Knuckles Elementary School for the Positive Behavioral Intervention Support program. This money will be used to purchase bicycles.

Staff Recommendation:

Designate \$600.00 of CRF to W.H. Knuckles Elementary School for PBIS as indicated above.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: VII.W.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: City Council

Submission Date: 05/02/2025

Subject: Approve the designation of \$400.00 of Community Revitalization Funds to Rowland Norment Elementary School for the Positive Behavioral Intervention Support Program in Precinct 6

Summary/Background of Subject Matter:

Councilman Douglas requests \$200 and Councilman Carroll requests \$200.00 of Community Revitalization Funds for Rowland Norment Elementary School for the Positive Behavioral Intervention Support program. This money will be used to purchase bicycles.

Staff Recommendation:

Designate \$400.00 of CRF to Rowland Norment Elementary School for PBIS as indicated above.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: VII.X.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: City Council

Submission Date: 04/29/2025

Subject: Request for Support to the Beta Nationals in Orlando from Precinct 7

Summary/Background of Subject Matter:

Councilman Chavis received a request for support from Eden who is a fifth-grade student and a talented young musician who has been selected as one of only two instrumentalists to advance to the Beta Club National Competition in Orlando, Florida. She is currently preparing her piano performance for the event and is working hard to make our community proud. Eden attends Southeastern Academy; however, she and her mother live in Lumberton.

As a retired single mother living with a disability, she does what she can to support Eden alongside her father. However, the costs of participating are more than we can manage on our own. Any financial support from this Council would help ease that burden and allow Eden to represent Lumberton on a national stage.

Councilman Chavis would like to contribute \$200 of CRF to this event.

Staff Recommendation:

That Council approves the designation of CRF as indicated above.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: VII.Y.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: City Council

Submission Date: 04/28/2025

Subject: Designate \$2,500.00 of Community Revitalization Funds in Precinct 7 for the 911 - Community Day

Summary/Background of Subject Matter:

Councilman Chavis requests \$2,500 of CRF for the West Lumberton 911 - Community Day in Precinct 7 to be held on June 1, 2024.

Staff Recommendation:

Approve the Designation of \$2,500.00 to the 911-Community Day.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: VII.Z.

Lumberton, North Carolina



Request for Action

Meeting Date: May 5, 2025

Originated By: City Council

Submission Date: 05/05/2025

Subject: Approve CRF for Community Day in Precinct 2

Summary/Background of Subject Matter:

Councilwoman Robinson would like to designate \$1,250.00 of CRF for a Community Day in Precinct 2.

Staff Recommendation:

Approve the designation as indicated above.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

None