



Planning & Inspections Department

FINAL ACTION NOTICE LETTER

November 19, 2025

Alex Edwards, Agent
14051 Rockingham Rd
Germantown, MD 20874

SUBJECT: CASE NO: ZON-25-0022/ Town of Spring Lake Board of Commissioners Final Action

Mr. Edwards:

For your records, the Town of Spring Lake Board of Commissioners (TOSLBOC) held a public hearing on Monday, November 10, 2025, and thereat approved your conditional rezoning request from C(P) Planned Commercial District and C-3 Heavy Commercial District to R-5/CZ Residential District/Conditional Zoning applicable to approximately 9.02 +/- acres and located at 604 N. Main St and the abutting parcel located at the northeast corner of N. Main St and Rainbow Ct. The approved and executed conditional zoning conditions of approval and conditional zoning site plan are attached for your records. Use and development of the property must occur consistent with these zoning approvals. Please note the Condition No. 10, that states the Town of Spring Lake can initiate action to rezoning the property to its original zoning district if no action occurs on the part of the property owner to develop and use the site as set forth in the Conditional Zoning.

This approval is granted by the Town of Spring Lake Board of Commissioners based on the records of the November 10, 2025, TOSLBOC meeting. If you wish to obtain an official copy of the hearing minutes for this zoning case, please contact the Town of Spring Lake Clerk's office.

Prior to conducting any development activity for the subject property, including construction of any building or structure, please submit a final site plan to the Cumberland County Current Planning Division that is consistent with the conditional zoning site plan, the conditional zoning conditions of approval, and the Town of Spring Lake's Code of Ordinances.

Sincerely,

A handwritten signature in blue ink that reads "David B. Moon".

David B. Moon, AICP
Deputy Director

Attachment: Conditions of Approval

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Conditional Zoning No. ZON-25-0022 Conditions of Approval

General Address: 604 N. Main St	Acres: 9.02 +/-
REID: 0501-68-4230 & 0501-67-4645	Approval Date: TBD
Effective Date: TBD	Issued to: Lorenzo and Gwendolyn McLean Jr., BBC Enterprises (Owners); Alex Edwards (Agent and Applicant)

R-5 Residential/CZ Conditional Zoning District Ordinance Related Conditions for Residential Use of Property

A. Applicability:

This Conditional Zoning only applies to the property appearing in the Conditional Zoning Site Plan titled "Eleve at Main". This property is rezoned from C(P) Planned Commercial District and C-3 Heavy Commercial District to R-5/CZ Residential Conditional Zoning District for 9.02 +/- acres; located at the Northeast corner of N. Main St and Rainbow Ct.

B. Permitted and Prohibited Uses.

The use of the subject property is limited to the residential multi-family apartment group development as well as the terms and conditions of this Conditions of Approval and the Conditional Zoning Site Plan for ZON-25-0022, as set forth in Exhibit "A" herein.

C. Development Standards.

1. This Conditional Zoning Site Plan is not the Final Site Plan. A final site plan must be submitted to and approved by the Town of Spring Lake, in accordance with the Conditions of Approval and the Town of Spring Lake's Code of Ordinances, prior to any development activity. The Final Site Plan shall be consistent with the intent of the Conditional Zoning Site Plan and the intent of the Town of Spring Lake's Code of Ordinances.
2. Where any conflicts occur between the Conditions of Approval and Conditional Zoning Site Plan herein, with the Town of Spring Lake's Code of Ordinances, the Conditional Zoning Conditions of Approval and Conditional Zoning Site Plan shall supersede.
3. All uses, dimensions, setbacks and other related provisions of the Town of Spring Lake Zoning and Subdivision Ordinances for the R-5/CZ Conditional Zoning must be complied with, as applicable, and as appearing with the conditional zoning site plan appearing in Exhibit "A". Any conditions set forth herein this ordinance, including Exhibit "A", shall supersede the Zoning Code. If not specifically addressed within this Ordinance, all requirements of the Zoning and Subdivision Codes shall be met.
4. The applicant/owner/developer shall pay a "fee in lieu of on-site open space" in accordance with Spring Lake Municipal Code §36-71 (8) to satisfy the recreation/open space requirement in the total amount of \$40,000. This shall be paid to the Town of Spring Lake prior to issuance of the first building permit.
5. An architectural rendering (in color) of the proposed development demonstrating conformance with the Main Street Overlay District "Façade Guide" shall be submitted with

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the Final Site Plan in conformance with Section 42-174 and must be approved by the Town Manager.

6. At the time of Final Site Plan submittal, a Landscape Plan shall demonstrate compliance with the Spring Lake Landscaping Ordinance for tree plantings. If unable to comply with the tree planting requirements of the Landscape Ordinance, the Town manager can approve a fee-in-lieu of tree planting based on a rate of \$300.00 per tree. Any such fees collected by the Town shall be used to beautify and landscape Parks and Recreation spaces or other Town properties located within the Town of Spring Lake. This shall be paid prior to issuance of the first building permit for any building.
7. This conditional approval is not approval of any freestanding signs. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in the Town of Spring Lakes Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is not approval of the size, shape, or location of any signs.)

D. Infrastructure and Utilities:

1. **Water and Sewer:** Connection to Town of Spring Lake Public Utility Water and Sewer is required. The Developer/Applicant shall coordinate with Town of Spring Lake to provide public water and sewer service connection.
2. **Fire Chief and Fire Inspections:** At the site of the final site plan the developer must comply with State Fire Code driveway and building access standards, which shall be review and determined by the Town of Spring Lake's Fire Chief. Prior to submittal of a final site plan to the Town, the developer shall coordinate with the Town Fire Chief.
3. **Stormwater and Drainage:**
 - a. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environmental Quality (NCDEQ) sedimentation and erosion control plan(S&E). If any retention/detention bases are required for state approval of this plan, a formal revision application must be filed with Current Planning for review and approval.
 - b. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post- Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environmental Quality. If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy.
 - c. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean of free and debris. (Spring Lake Stormwater Utility Ord. Sec. 40-407)
 - d. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must demonstrate on the revised plan the placement of a four-foot-high fence with a lockable gate for the security of the stormwater utility structure. The owner/developer is required to maintain the

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detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.

- e. For new development, all utilities, except for 25k or greater electrical lines, must be located underground.

4. Outdoor Lighting:

- a. An outdoor lighting plan shall be submitted with the Final Site Plan and shall illustrate outdoor lighting for all parking areas and pedestrian pathways.
- b. All pedestrian areas, including off-street parking areas are to be lighted with shielded, controlled lighting, and shall complement the proposed development in color and style while being consistent with existing lighting of adjacent or nearby developed nonresidential properties.

5. Roads, Access, and Parking:

a. NCDOT, Connections to SR 1449 (Main St):

- i. Right and left turn lanes with a continuous three lane section between the two (2) connections shall be required.
- ii. Applicable right-of-way dedication will be required for the install of the roadway improvements. The installation of a closed drainage system with curb and gutter may negate any right-of-way dedication requirement (design dependent).
- iii. Right-of-way dedication requires a recorded plat and a North Carolina General Warranty deed with complete metes and bounds description referencing aforesaid plat.
- iv. Typical 100' driveway stem requires at both entrances as measured from the nearest edge of right-of-way.

b. NCDOT, Connection to NC HWY 24/87 (Bragg Boulevard):

- i. If permitted, the driveway would be required to be constructed with concentric radii thereby removing any possibility of right turn movements into the site from the roadway.
 - ii. Any connection NC HWY 24/87 will require roadway improvements if ingress were requested.
 - iii. Egress only movements would be allowed a maximum of 24' width with a 25-30' radii (egress) for this type of development.
- c. Driveway Approval Required. Construction of any new connection or alteration of any existing street connection may require an approved Driveway Permit or approval from the Town of Spring Lake.
 - d. Any street improvements or plans are required to be constructed to the Town of Spring Lake and NCDOT standards for secondary roads, as applicable. (Spring Lake Chapter 34 Ord. and NCGS §136-18(5) & §136-93]
 - e. The developer must obtain driveway permits from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit(s) must be provided to the Town of Spring Lake at the time of application for building/zoning permit.

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- f. At the time of final site plan, the proposed gate located at the emergency access abutting NC HWY 24 shall be moved to demonstrate emergency vehicles and fire apparatus have sufficient area to turn and maneuver so as not to impede the flow of traffic along NC HWY 24 and the point emergency access.
- g. If any NCDOT permits are required, these permits must be obtained and submitted to the Town of Spring Lake prior to any issuance of a building permit or commence of any development activity.
- h. If any right-of-way dedication is required by the NCDOT or by the Town of Spring Lake, a recorded plat referenced above shall identify any such right-of-way dedication and sight distance easements.
- i. Turn lanes may be required by the NC Department of Transportation (NCDOT) or the Town of Spring Lake applicable.
- j. The final site plan must provide an internal access to any stormwater facility serving the site, to allow the Owner's Association to have the ability to access the stormwater facility.
- k. All designated parking areas shall only be used for operatable motor vehicles for the residents and guests and management staff of this residential community. All motor vehicles shall only park at designate parking stalls approved by the Town as appearing in the final site Plan. No parking is allowed in buffer or landscape areas.
- l. Parking spaces shall not be used for storage or parking of recreational vehicles, boats, watercraft, commercial tractor trailers or for the storage of shipping containers or other materials.
- m. All NCDOT permits must be obtained and submitted to the Town of Spring Lake Inspection Division prior to any issuance of a building permit or commencement of any development activity or change is property usage. Failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense.
- n. Where sidewalk construction is not feasible due to a change-in-use or redevelopment, the developer shall pay a fee in lieu of sidewalk construction in an amount consistent with the actual cost of installing the sidewalk. The Town Manager shall determine if the sidewalk construction is not feasible as well as the sidewalk installation cost. The monies generated from this section shall be used by the town for sidewalk construction and/or maintenance of sidewalks within the Central Business District. (Sec. 42-174 §2(c)[4] – *Pedestrian Pathways/Sidewalks and Amenities*)
- o. The final site plan shall address and show any/all required roadway improvements as required by the Town of Spring Lake's Code of Ordinances and NC Department of Transportation's comments issued and stated herein.

6. Landscaping:

- a. The final site plan shall include a detailed landscaping plan addressing all code requirements set forth in Article IX – Landscape Requirements and Sec. 42-174. Specifications for the CB Central Business District.
- b. All open space areas and ground cover shall be grass, seeded or sodded, except for areas underneath trees and shrub plantings.

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- c. Flowering street trees shall be provided in an amount equivalent to at least one tree for every 20 feet of road frontage and shall be located within the amenity area required, including along any side street. In the event a nonflowering tree is proposed to be planted that would be conducive to the proposed development, an administrative modification from the administrative officer for the alternative tree specimens is mandatory.
- d. All street trees shall be a minimum of two-inch caliper at the time of planning and additional plantings in pots or boxes is strongly encouraged.

7. Development Review Process:

- a. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application with the Town of Spring Lake Inspection Department.
- b. A detailed phasing schedule shall be submitted with the final site plan showing the proposed phasing labeled and delineated on the final site plan.
- c. Prior to any clearing or grading activity, applicant shall be required to submit a final site plan with the Town of Spring Lake Code of Ordinances and in conformance with the approved Conditional Zoning Site Plan and the Conditional Zoning terms and conditions.
- d. In the event the requirements or conditions from a State or Federal Agency or utility provider creates an inconsistency with the conditional zoning site plan in any manner, a revised conditional zoning site plan must be submitted to the Current Planning Division for review in conformance with the Town of Spring Lake Code of Ordinances and conditions hereto.
- e. Developer must coordinate with the Current Planning Division prior to making any changes to the conditional zoning site plan. Any changes to the conditional zoning site plan must be reviewed by the Current Planning Division to determine if any change is considered an insubstantial or substantial modification.
- f. A final site plan must be submitted to and reviewed by the Cumberland County Current Planning Division, in accordance with the Conditions of Approval and the Town of Spring Lake's Code of Ordinances, prior to any development activity. The Final Site Plan must be approved by the Town and shall be consistent with the intent of the Conditional Zoning Site Plan and the intent of the Town of Spring Lake's Code of Ordinances.

8. Final Site Plan Standards:

- a. A note on the final site plan shall state that all use and development occur consistent with Conditions of Approval for ZON-25-0022.
- b. All buildable lot areas shall comply with the setbacks established in the Conditional Zoning Site Plan (Exhibit "A" attached).
- c. Any/all easements appearing on the Conditional Zoning Site Plan (Exhibit "A") must be reflected on the final site plan and labeled as to the type of easement, reference number for document that requires the easement, and the name of the agency, individual, entity, etc. who holds the easement.

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- d. The NC Department of Transportation (NCDOT) driveway permit must be submitted to the Town prior to issuance of any building permit.
- e. The developer should be aware that any addition and/or revision to the final site plan may require an additional review and approval by the Town of Spring Lake Board of Commissioners prior to submission for final site plan approval of any portion of this development.

9. **Other Conditions:**

- a. A recombination plat must be submitted, reviewed by the Current Planning Division to ensure conformance with the Town of Spring Lake's Code of Ordinances, approved by the Town of Spring Lake, and recorded at the Cumberland County Registrar of Deeds prior to approval of the final site plan for this development.
- b. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
- c. This conditional approval is not to be construed as all-encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is responsible party to ensure full compliance with all applicable Federal, State, and local regulations.
- d. The owner is responsible for maintaining the site clear and free of trash and debris and shall maintaining all landscaping according to the approved landscape plan.
- e. All applications and plan submittals shall be submitted via the County online permitting self-service portal at the following website address:
https://selfservice.co.cumberland.nc.us/EnerGov_Prod/SelfService#/home.
- f. Modification to the Conditional Zoning Site Plan. All substantial modifications, including changes in use and/or increase in density, to approved plans, other than those listed below, shall be reviewed in the same manner as a new project (Sec. 42-359 (d), Code of Ordinances). The Town manager shall decide if a change constitutes a substantial or minor modification.
- g. This conditional zoning applies to a multi-family apartment development intended for rental of residential units. If the ownership of the property changes to a condominium ownership, the condominium shall be formed consistent with Chapter 47C, NC General Statutes. A preliminary plan and final plat shall be required to create any residential lots and to establish common areas owned and maintained by an owner's association. Both the preliminary plan and final plat must be approved by the Town. The developer is required to submit to the Town the following documents through the County on-line customer service portal:
 - i. One copy of proposed covenants, by-laws and articles of incorporation for the proposed development designating responsibility for by the owners' association for the development;
 - ii. One copy of the deeds proposed for recordation conveying all common area to the proposed owner's association;
 - iii. One copy of any proposed supplemental covenants if the proposed development is to be submitted for final approval in phases; and

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- iv. One copy of the final site plan prior to the submission for final approval.

These documents must be approved by the Town of Spring Lake Attorney prior to the sale of or submission for final plat approval of any lot or unit within this development. (Spring Lake Subdivision Ord.)

10. Expiration. If no development activity occurs within five years from the date of the adoption of this ordinance, the Town may proceed to rezoning the property to another zoning district following the process set forth in NC General Statutes.
11. The property owner/applicant of rezoning case ZON-25-0022 agree to all terms and conditions set forth in this Conditional Zoning Conditions of Approval. All subsequent owners shall be subject to the terms and conditions set forth therein.

Property Owner/Agent Acceptance of Conditions

Gwendolyn McLean

(Print Name) - Gwendolyn McLean

Gwendolyn B. McLean
(Signature) - Gwendolyn McLean

11/01/2025
Date

Lorenzo McLean

(Print Name) - Lorenzo McLean, Jr.

Lorenzo McLean
(Signature) - Lorenzo McLean, Jr.

11/01/2025
Date

Alex Edwards
(Print Name) - BBC Enterprises' Authorized Agent

Alex Edwards
(Signature) - BBC Enterprises' Authorized Agent

31 Oct 2025
Date

Issued by:

Jon Rorie
Jon Rorie (Nov 17, 2025 10:51:38 EST)

Jon Rorie
Spring Lake Town Manager

11/11/25
Date

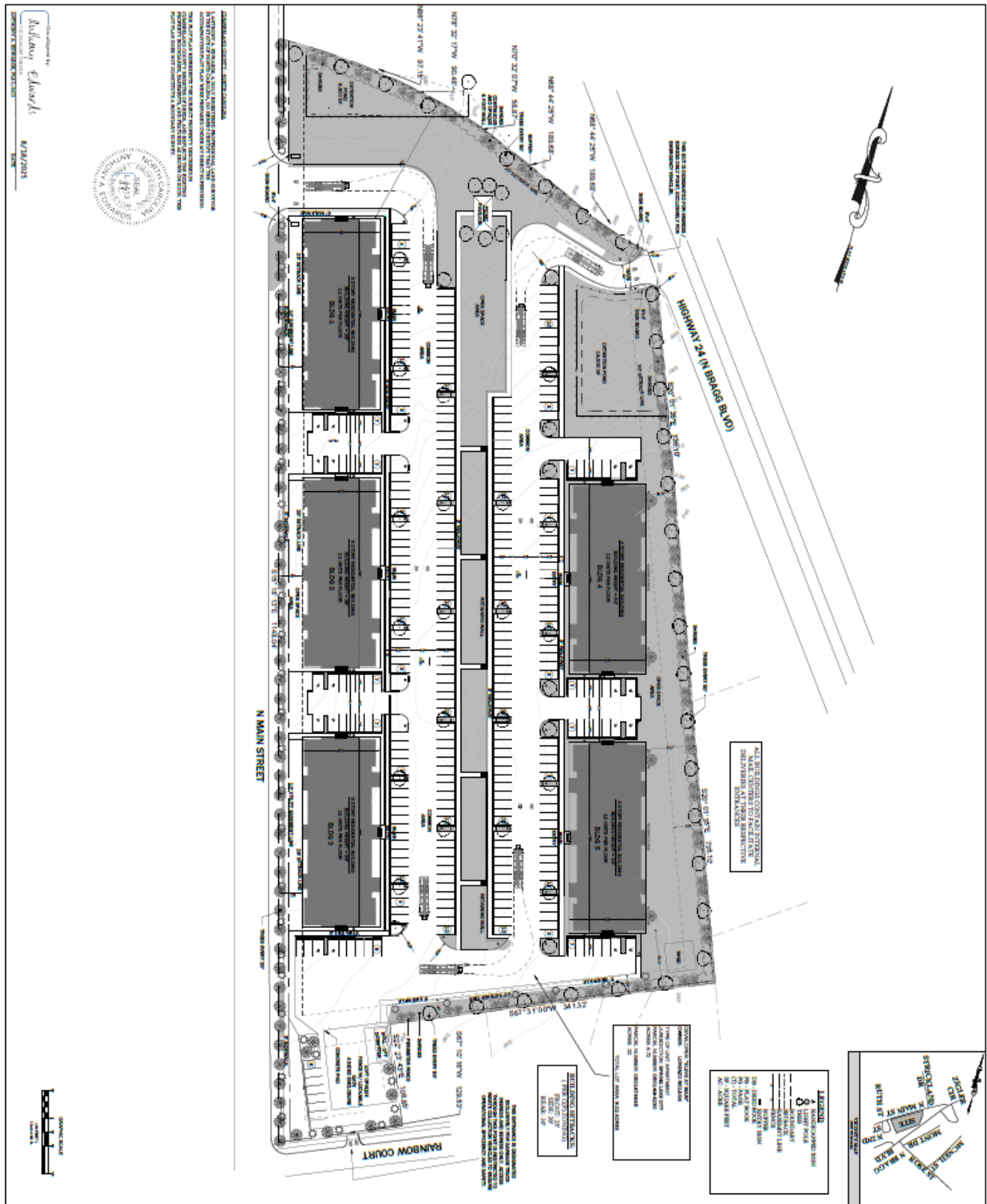
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EXHIBIT "A"
ZON-25-0022: Conditional Zoning Site Plan

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CONDITIONAL ZONING SITE PLAN – SHEET 01

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CONDITIONAL ZONING SITE PLAN – SHEET 02

