

Patricia Hall,
Chair
Town of Hope Mills

Charles Morris,
Vice-Chair
Town of Linden

Jami McLaughlin,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman

Donovan McLaurin,
Wade, Falcon & Godwin



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

◆
Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Diane Wheatley,
Carl Manning,
Walter Clark,
Cumberland County

Benny Pearce,
Town of Eastover

MINUTES

September 15, 2015

Members Present

Ms. Patricia Hall, Chair
Mr. Charles Morris, Vice-Chair
Mr. Walter Clark
Mr. Benny Pearce
Dr. Vikki Andrews
Mrs. Diane Wheatley
Mrs. Jami McLaughlin
Mr. Harvey Cain, Jr.

Members Absent

Mr. Donovan McLaurin
Mr. Carl Manning

Others Present

Mr. Thomas Lloyd
Ms. Donna McFayden
Ms. Katlyn Allen
Ms. Patricia Speicher
Mr. Rick Moorefield
County Attorney

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Morris delivered the invocation and led those present in the Pledge of Allegiance.

II. APPROVAL OF / ADJUSTMENTS TO AGENDA.

There were none.

III. PUBLIC HEARING DEFERRAL/ WITHDRAWAL

There were none.

IV. ABSTENTIONS BY BOARD MEMBERS

There were none.

V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

VI. APPROVAL OF THE MINUTES OF AUGUST 18, 2015

Mr. Cain made a motion to accept the minutes as submitted, seconded by Jami McLaughlin. Unanimous approval.

VII. PUBLIC HEARING CONSENT ITEMS

REZONING CASES

- A. **P15-48.** REZONING OF .95+/- ACRE FROM O&I(P) PLANNED OFFICE AND INSTITUTIONAL TO R20 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 520 HARVARD DRIVE, SUBMITTED BY RUTH S. BARBOUR (OWNER) AND TIMOTHY EVANS.

1st MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P15-48 is consistent with the adopted comprehensive plan designated as the

2030 Growth Vision Plan, which calls for “urban” at this location as the proposed district would allow development at 2.2 units or less per acre. The request is not consistent with South Central Land Use

Plan which calls for “heavy commercial” at this location but is reasonable as approximately half of the subject property is currently zoned residential.

The staff also recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property generally meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *use of septic allowed based on soil type, lot size and distance from public sewer, direct access to a public street is required, Harvard Drive is a Public Street, and must not be located in any defined critical area as defined by the Fort Bragg Small Study Area.*

2nd MOTION

In addition to the above information, the Planning and Inspections Staff also recommends the board approve Case No. P15-48 for R20 Residential district based on the following:

1. The R20 Residential district will allow for land uses and lot sizes that exist in the general area and is compatible with the provisions of the Airport Overlay District;
2. The request is logical as, if approved, it will prevent the encroachment of non-residential uses in an established residential area; and
3. Public water is available to the subject property.

Because of the lack of public sewer, there are no other districts considered suitable for this request.

Mr. Morris made both of the motions referenced above, seconded by Mrs. McLaughlin, to follow the staff recommendations and approve the request. The motions passed unanimously.

- B. **P15-49. REZONING OF 1.81+/- ACRES FROM RR RURAL RESIDENTIAL, R10 RESIDENTIAL AND C1(P) PLANNED LOCAL BUSINESS TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 3123 AND 3127 N MAIN STREET AND ON THE NORTHEAST SIDE OF NC HWY 59 (N MAIN STREET), SOUTHWEST OF BIG PINE DRIVE; SUBMITTED BY MARLENE A. WILLIAMS, SAVANNAH BARBARA SWARTOUT AND CYNTHIA SHARON WEST (OWNERS) AND LORI S. EPLER ON BEHALF OF LARRY KING AND ASSOCIATES, RLS. (HOPE MILLS)**

1st MOTION

The Planning and Inspections Staff recommends approval of Case No. P15-49 to C2(P) Planned Service and Retail district based on the following:

1. If approved the C2(P) district will allow for non-residential land uses and lot sizes that exist in the general area; and
2. Approval of the request would promote the re-development of non-residential structures on the subject properties, which previously was used for a drugstore and pottery studio.

2nd MOTION

The Planning and Inspections Staff recommends the board find that approval of C2(P) Planned Service and Retail district for Case No. P15-49 is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, which calls for “urban” at this location. The recommended district is also generally consistent with the Southwest Cumberland Land Use Plan which calls for “heavy commercial” at this location.

The staff recommends the board further find that approval of the C2(P) Planned Service and Retail district is reasonable and in the public interest because the requested district for the subject property

meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *public water and sewer required; must have direct access to a collector street, North Main Street is a Principal Arterial; should have other light commercial uses in the area; should provide convenient goods and services to the immediate surrounding neighborhood and may be located along a street that is in transition from residential to non-residential through redevelopment and physical improvements.*

There are no other districts considered to be suitable for this location.

Mr. Morris made both of the motions referenced above, seconded by Mrs. McLaughlin, to follow the staff recommendations and approve the request. The motions passed unanimously.

- C. **P15-50.** REZONING OF .97+/- ACRE FROM R10 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHEAST SIDE OF SR 1451 (W MANCHESTER ROAD), SOUTHWEST OF NC HWY 87 (N BRAGG BLVD); SUBMITTED BY MARY A. TEW ON BEHALF OF PRESBYTERIAN CHURCH OF THE COVENANT (OWNER) AND LORI S. EPLER ON BEHALF OF LARRY KING AND ASSOCIATES, RLS. (SPRING LAKE)

1st MOTION

The Planning and Inspections Staff recommends approval of Case No. P15-50 to C(P) Planned Commercial district based on the following:

1. If approved, the zoning would be consistent with adjacent zoning and land uses of properties in the general area; and
2. Public utilities are available to the subject property.

There are no other districts considered suitable for this case.

2nd MOTION

The County Planning Staff recommends the board find that approval of the rezoning request for C(P) for Case No. P15-50 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan* because the Plan calls for “urban” at this location. The request is also consistent with the Spring Lake Area Detailed Land Use Plan which calls for “planned commercial” at this location.

The staff recommends the board further find that approval of the initial zoning to C(P) is reasonable and in the public interest because the location criteria as listed in the adopted Land Use Policies Plan for C(P) will be met or exceeded:

public water and sewer required; should have minimum direct access to a collector street, W. Manchester Road is a Minor Arterial; should not be in a predominantly residential, office & institutional, or light commercial area and must be located on a sufficient site that provides adequate area for buffering, screening, and landscaping.

Mr. Morris made both of the motions referenced above, seconded by Mrs. McLaughlin, to follow the staff recommendations and approve the request. The motions passed unanimously.

CONDITIONAL ZONING DISTRICT

- D. **P15-47.** REZONING OF 3.33+/- ACRES FROM R6A RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS/CZ CONDITIONAL ZONING FOR TRADE CONTRACTOR OFFICE AND MINI-WAREHOUSING, LOCATED ON THE NORTHWEST SIDE OF US HWY 301 (DUNN ROAD), SOUTH OF SR 1722 (BEARD ROAD); SUBMITTED BY KINLAW V. JACOBS (OWNER). (EASTOVER)

1st MOTION

The Planning and Inspections Staff recommends the board approve Case No. P15-47 for the C1(P) Planned Local Business/CZ Conditional Zoning district for a trade contractor office and mini-warehousing based on the following:

- The location and character of the requested district and uses is reasonable as it will accommodate small scale, low-intensity services for the Town of Eastover.

2nd MOTION

The Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P15-47 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “community growth area” at this location as approval would provide mini-warehousing for local residents in close proximity to I-95. The request is not consistent with the Eastover Area Detailed Land Use Plan which calls for “medium density residential” at this location; however, the request is logical as the Eastover Plan was adopted prior to utilities being present, incorporation of the Town and the adoption of the Eastover Commercial Core Overlay District.

The staff recommends the board approve this rezoning request as it is reasonable and in the public interest because the district and uses requested for the subject property meets the location criteria of the adopted Land Use Policies Plan, in that: *public water and sewer required, ESD water and sewer are available; should have minimum direct access to a collector street, Dunn Road is a Thoroughfare; should serve as a transition between heavy commercial, office & institutional or residential development; should have other light commercial uses in the area; should provide convenient goods and services to the immediate surrounding neighborhood and may be located along a street that is in transition from residential to non-residential through redevelopment and physical improvements.*

There are no other districts considered suitable for this request at this location. The property owner voluntarily agreed to all “Ordinance Related Conditions.”

Mr. Morris made both of the motions referenced above, seconded by Mrs. McLaughlin, to follow the staff recommendations and approve the request. The motions passed unanimously.

VIII. PUBLIC HEARING CONTESTED ITEMS

There were none.

IX. DISCUSSION

DIRECTOR’S UPDATE.

X. ADJOURNMENT

There being no further business, the meeting adjourned at 7:02 pm.