

Charles Morris,
Chair
Town of Linden

Diane Wheatley,
Vice-Chair
Cumberland County

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

Vacant
Wade, Falcon & Godwin



Joel Strickland,
Acting Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Carl Manning,
Lori Epler,
Cumberland County

Stan Crumpler,
Town of Eastover

Patricia Hall,
Town of Hope Mills

Planning & Inspections Department

MINUTES
November 20, 2018

Members Present

Mr. Charles Morris, Chairman
Mrs. Diane Wheatley, Vice-Chair
Mr. Harvey Cain Jr.
Ms. Patricia Hall
Mr. Stan Crumpler
Mrs. Jamie McLaughlin
Dr. Vikki Andrews
Mrs. Lori Epler
Mrs. Jami McLaughlin

Members Absent

Mr. Carl Manning

Others Present

Mr. Joel Strickland
Ms. Annie Melvin
Ms. Patricia Speicher
Mrs. Laverne Howard
Mr. Rick Moorefield,
County Attorney

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Mrs. Epler delivered the invocation and Mr. Cain led those present in the Pledge of Allegiance.

II. APPROVAL OF / ADJUSTMENTS TO AGENDA

Cases P18-44 and P18-46 were deferred until the December 18, 2018 Planning Board meeting.

Mrs. Epler made a motion, seconded by Mr. Crumpler to approve the adjustments to the agenda with the changes. Unanimous approval.

III. PUBLIC HEARING WITHDRAWAL / DEFERRAL

CASE HEADING HAS CHANGED

- A. **P18-16.** REZONING OF 2.56+/- ACRES FROM R6A RESIDENTIAL & CD CONSERVANCY DISTRICT TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT THE NORTHWEST QUADRANT OF THE INTERSECTION OF SR 1118 (PARKTON ROAD) & NC 59 (SOUTH MAIN STREET), SOUTH OF ROCKFISH CREEK; SUBMITTED BY DAVID MCMILLAN (OWNER) & LORI S. EPLER ON BEHALF OF LARRY KING & ASSOCIATES (AGENT). **APPLICANT REQUESTED DEFERRAL TO 12/18/2018 PLANNING BOARD**
- B. **P18-44.** REVISION AND AMENDMENT TO THE HOPE MILLS SUBDIVISION ORDINANCE AMENDING ARTICLE IV DEVELOPMENT IMPROVEMENT AND DESIGN STANDARDS, SECTION 86A-403. MINIMUM LOT STANDARDS, SUB-SECTION F. LOTS INTENDED FOR COMMERCIAL AND INDUSTRIAL USES; AND SECTION 86A-405. SIDEWALKS AND WALKWAYS, SUB-SECTION A. SIDEWALKS AND WALKWAYS REQUIRED; AND REVISION AND AMENDMENT TO THE HOPE MILLS ZONING ORDINANCE AMENDING ARTICLE XV PLANNED DISTRICTS, SECTION 102A-1502. DETAILED SITE PLAN SPECIFICATIONS; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (HOPE MILLS) **STAFF REQUESTED DEFERRAL TO 12/18/2018 PLANNING BOARD**
- C. **P18-46.** REZONING OF 3.00+/- ACRES FROM R10 RESIDENTIAL & CD CONSERVANCY DISTRICT TO R6A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5187 & 5175 LAKEWOOD DRIVE, SUBMITTED BY WAREES & ASUMPTER WAREES (OWNERS). **STAFF REQUESTED DEFERRAL UNTIL 12/18/2018 PLANNING BOARD**

Mrs. McLaughlin made a motion, seconded by Mrs. Wheatley to approve the deferrals. Unanimous approval.

IV. ABSTENTIONS BY BOARD MEMBERS

There were none.

V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

The policy statement was not needed.

VI. APPROVAL OF THE MINUTES OF OCTOBER 16, 2018 & NOVEMBER 6, 2018

Dr. Andrews said she wanted to discuss the minutes from the November 6, 2018 meeting.

Chair Morris said they would move that to discussion.

Mrs. Epler made a motion, seconded by Ms. Hall to approve the October 16, 2018 minutes as submitted. Unanimous approval.

VII. PUBLIC HEARING CONSENT ITEMS

REVOCATION OF CONDITIONAL USE OVERLAY

- A. **P03-41.** REVOCATION OF A CONDITIONAL USE OVERLAY FOR A CHILDREN'S DEVELOPMENT, AQUATIC AND FITNESS CENTER IN A RR RURAL RESIDENTIAL DISTRICT ON 2.56+/- ACRES, LOCATED AT 2316 WILLOUGBY DRIVE, SUBMITTED BY DWANE & PATRICIA CLODFELTER (OWNERS) & MIKE ADAMS ON BEHALF OF M.A.P.S. SURVEYING INC. (AGENT). (EASTOVER)

In Case P03-41, the Planning and Inspections Staff recommends approval of the revocation of the Conditional Use Overlay for a children's development, aquatic and fitness center at the property owner's request and find the Eastover Land Use Plan has been examined and does not address this particular situation; and further find approval of the request is reasonable and in the public interest because Conditional Use Overlays were approved prior to 2005 in order to allow land uses that were not permitted in the current zoning district in exceptional situations, later deemed as an improper use of zoning, and that the approved business is no longer in operation at this location.

In Case P03-41, Mrs. Epler made a motion, seconded by Mr. Crumpler to approve the revocation of the Conditional Use Overlay for a children's development, aquatic and fitness center at the property owner's request and find the Eastover Land Use Plan has been examined and does not address this particular situation; and further find approval of the request is reasonable and in the public interest because Conditional Use Overlays were approved prior to 2005 in order to allow land uses that were not permitted in the current zoning district in exceptional situations, later deemed as an improper use of zoning, and that the approved business is no longer in operation at this location. Unanimous approval.

CONDITIONAL ZONING CASE

- B. **P18-47.** REZONING OF 2.00+/- ACRES FROM RR RURAL RESIDENTIAL TO C2(P) PLANNED SERVICE AND RETAIL DISTRICT/CZ CONDITIONAL ZONING FOR RETAILING OR SERVICING OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT THE NORTHWEST QUADRANT OF THE INTERSECTION OF NC HWY 87 & SR 2261 (ALDERMAN ROAD); SUBMITTED BY DENNIS WALTERS & WALTER CLARK ON BEHALF OF C & W PROPERTIES (OWNER) AND SCOTT BROWN ON BEHALF OF 4D SITE SOLUTIONS, INC (AGENT).

In Case P18-47, the Planning and Inspections Staff recommends approval of the rezoning from RR Rural Residential to C2(P)/CZ for retailing or servicing and find it is consistent with the adopted South Central Land Use Plan (2015) which calls for "farmland" at this location, the "farmland" designation allows for some limited commercial uses that are oriented specifically for a rural community such as convenient general merchandise stores and recommends that these uses be located at the intersection of two roads, and further find that approval of the request is reasonable and in the public interest because the district requested will allow a small, concentrated commercial node at this intersection to serve the needs of surrounding residents on a tract previously developed as a non-residential use.

In Case P18-47, Mrs. Epler made a motion, seconded by Mr. Crumpler to approve the rezoning from RR Rural Residential to C2(P)/CZ for retailing or servicing and find it is consistent with the adopted South Central Land Use Plan (2015) which calls for "farmland" at this location, the "farmland" designation allows for some limited commercial uses that are oriented specifically for a rural community such as convenient general merchandise stores and recommends that these uses be located at the intersection of two roads, and further find that approval of the request is reasonable and in the public interest because the district requested will allow a small, concentrated commercial node at this intersection to serve the needs of surrounding residents on a tract previously developed as a non-residential use. Unanimous approval.

REZONING CASES

- C. **P18-42.** REZONING OF 2.03+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON EAST SIDE OF SR 2252 (CHICKEN FOOT ROAD), NORTH OF SR 2246 (JOE HALL ROAD); SUBMITTED BY GREGORY V. SMITH ON BEHALF OF VANDER BUILT HOMES OF NC, LLC (OWNER) & TIM EVANS ON BEHALF OF LONGLEAF PROPERTIES, LLC (AGENT).

In Case P18-42, the Planning and Inspections Staff recommends approval of the rezoning from A1 Agricultural to R40 Residential and find it is consistent with the adopted South Central Land Use Plan (2015) which calls for "farmland" at this location, the "farmland" designation allows for one unit per acre with suitable soils for septic, and further find that approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding zoning, existing land uses and lot sizes.

In Case P18-42, Mrs. Epler made a motion, seconded by Mr. Crumpler to approve of the rezoning from A1 Agricultural to R40 Residential and find it is consistent with the adopted South Central Land Use Plan (2015) which calls for "farmland" at this location, the "farmland" designation allows for one unit per acre with suitable soils for septic, and further find that approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding zoning, existing land uses and lot sizes. Unanimous approval.

- D. **P18-43.** REZONING OF 3.02+/- ACRES FROM C(P) PLANNED COMMERCIAL & M2 HEAVY INDUSTRIAL TO C3 HEAVY COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON WEST SIDE OF NORTH FIFTH STREET, NORTH OF SR 1602 (SPRING AVENUE); SUBMITTED BY TASOS HASAPIS ON BEHALF OF OMEGA ENTERPRISES I, LLC (OWNER). (SPRING LAKE)

In Case P18-43, the Planning and Inspections Staff recommends denial of the rezoning from C(P) Planned Commercial and M2 Heavy Industrial to C3 Heavy Commercial and approval of the rezoning from C(P) Planned Commercial and M2 Heavy Industrial to C(P) Planned Commercial and find it is consistent with the adopted Spring Lake Land Use Plan (2003) which calls for "heavy commercial" at this location and further find that approval of the request is reasonable and in the public interest because the C(P) Planned Commercial district will enable the board to have oversight of the proposed site plans, ensuring the development complies with the minimum town standards and the district is in harmony with surrounding zoning and existing land uses. The property owner has agreed to this staff recommendation.

In Case P18-43, Mrs. Epler made a motion, seconded by Mr. Crumpler to deny the rezoning from C(P) Planned Commercial and M2 Heavy Industrial to C3 Heavy Commercial and approval of the rezoning from C(P) Planned Commercial and M2 Heavy Industrial to C(P) Planned Commercial and find it is consistent with the adopted Spring Lake Land Use Plan (2003) which calls for “heavy commercial” at this location and further find that approval of the request is reasonable and in the public interest because the C(P) Planned Commercial district will enable the board to have oversight of the proposed site plans, ensuring the development complies with the minimum town standards and the district is in harmony with surrounding zoning and existing land uses. The property owner has agreed to this staff recommendation. Unanimous approval.

- E. **P18-45. REZONING OF 1.49+/- ACRES FROM R6 RESIDENTIAL & C3 HEAVY COMMERCIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2603 & 2605 HOPE MILLS ROAD; SUBMITTED BY TED HILL ON BEHALF OF HILLSIDE LANDSCAPE SUPPLIES, INC. (OWNER). (HOPE MILLS)**

In Case P18-45, the Planning and Inspections Staff recommends approval of the rezoning from R6 Residential & C3 Heavy Commercial to C(P) Planned Commercial and find this recommendation to be consistent with the Southwest Cumberland Land Use Plan (2014) which calls for “heavy commercial” at this location, C(P) Planned Commercial is classified as a “heavy commercial” zoning district and further find approval of the request is reasonable and in the public interest because the district requested is in harmony with the surrounding zoning and existing land uses.

In Case P18-45, Mrs. Epler made a motion, seconded by Mr. Crumpler to approve the rezoning from R6 Residential & C3 Heavy Commercial to C(P) Planned Commercial and find this recommendation to be consistent with the Southwest Cumberland Land Use Plan (2014) which calls for “heavy commercial” at this location, C(P) Planned Commercial is classified as a “heavy commercial” zoning district and further find approval of the request is reasonable and in the public interest because the district requested is in harmony with the surrounding zoning and existing land uses. Unanimous approval.

VIII. DISCUSSION

Dr. Andrews stated that she didn't think that the closed session meeting should be published in the November 6, 2018 minutes, she believes there should be a waiting period before they are published.

County Attorney Moorefield stated that what was in the minutes was announced at the meeting after they came out of closed session. He also said that a personnel matter can be closed permanently depending on the nature of it. The general account of this personnel action that he wrote, the necessity of it remaining sealed as a closed session record was removed once the board announced their decision.

Chair Morris asked Mr. Moorefield if he was satisfied with the way the minutes had been disseminated.

Mr. Moorefield said he was, there was communication between himself and Mrs. Howard about the minutes.

Ms. Hall made a motion to approve the minutes as submitted, seconded by Mrs. Epler. The motion passed with Dr. Andrews voting in opposition.

IX. DIRECTORS UPDATE

- Plaque will be made for Thomas Lloyd and presented at next Planning Board meeting.
- Christmas Party update.

X. ADJOURNMENT

There being no further business, the meeting adjourned at 7:13 pm.