

Charles Morris,  
Chair  
Town of Linden

Diane Wheatley,  
Vice-Chair  
Cumberland County

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

Donovan McLaurin,  
Wade, Falcon & Godwin



Thomas J. Lloyd,  
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**  
July 18, 2017

**Members Present**

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

**Members Absent**

Dr. Vikki Andrews  
Mr. Donovan McLaurin  
Mr. Carl Manning

**Others Present**

Mr. Thomas Lloyd  
Ms. Annie Melvin  
Mrs. Laverne Howard  
Mr. Rob Hasty  
Assistant County Attorney

I. INVOCATION AND PLEDGE OF ALLEGIANCE

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

II. APPROVAL OF / ADJUSTMENTS TO AGENDA

Mr. Lloyd stated there would be some changes under deferrals and withdrawals. P17-26 and P17-29 were withdrawn. There were people present for Case P17-30, but the applicant who asked for deferral was not present. Staff asked the applicant to defer the case until he can come back with water and sewer.

III. APPROVAL OF / ADJUSTMENTS TO AGENDA.

**Mrs. Epler made a motion to approve the agenda as submitted, seconded by Ms. Hall. Unanimous approval.**

IV. PUBLIC HEARING DEFERRALS / WITHDRAWALS

- A. **P17-23.** REZONING OF 2.04+/- ACRES FROM R6A RESIDENTIAL & CD CONSERVANCY TO C2(P) PLANNED SERVICE AND RETAIL/CZ CONDITIONAL ZONING FOR CONVENIENCE RETAIL WITH GASOLINE SALES OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE WEST SIDE OF SR 1118 (PARKTON ROAD), NORTH OF SR 1119 (MUSCAT ROAD); SUBMITTED BY DAVID MCMILLAN (OWNER) AND J. THOMAS NEVILLE (ATTORNEY) **APPLICANT REQUESTED WITHDRAWAL**
- B. **P17-26.** REZONING OF 2.00+/- ACRES FROM A1 AGRICULTURAL TO C2(P) PLANNED SERVICE AND RETAIL/CZ CONDITIONAL ZONING FOR RETAILING OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE WEST SIDE OF SR 2252 (CHICKEN FOOT ROAD), SOUTH OF BRAMBLE ACRES ROAD); SUBMITTED BY ROBERT L. BROCK (OWNER) AND ANDREW MERICLE (AGENT). **APPLICANT REQUESTED WITHDRAWAL**
- C. **P17-29.** REZONING OF 10.00+/- ACRES FROM RR RURAL RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST SIDE OF SR 2212 (DOC BENNETT ROAD), NORTH OF CHARLES THIGPEN ROAD; SUBMITTED BY ADAM STEELHAMMER ON BEHALF OF CRAZY WOMAN READINESS TRAINING FACILITY (OWNER). **APPLICANT REQUESTED WITHDRAWAL**

- D. **P17-30.** REZONING OF 4.86+/- ACRES FROM R10 RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5221 DOC BENNETT ROAD, SUBMITTED BY LEONARD & SUK-HUI WOLF (OWNERS) AND P. SINGH SANDHU (AGENT). **APPLICANT REQUESTED DEFERRAL UNTIL SEPTEMBER 19, 2017**

**Mrs. Epler made a motion, seconded by Ms. Hall to approve the deferral and withdrawals. Unanimous approval.**

V. ABSTENTIONS BY BOARD MEMBERS

There were none.

VI. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

Policy statement wasn't needed.

VII. APPROVAL OF THE MINUTES OF JUNE 20, 2017

**Unanimous approval to approve the minutes as submitted.**

VIII. PUBLIC HEARING CONSENT ITEMS

TEXT AMENDMENT

- A. **P17-07.** REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY SUBDIVISION ORDINANCE AMENDING ARTICLE XXIII, IMPROVEMENT AND DESIGN STANDARDS, SECTION 2302. AREA-SPECIFIC STANDARDS, A. MUNICIPAL INFLUENCE AREAS; AND APPENDIXES EXHIBIT 4, OFFICIAL MUNICIPAL INFLUENCE AREA AND SEWER SERVICE AREA MAP, AND EXHIBIT 5 MUNICIPAL INFLUENCE AREA DEVELOPMENT STANDARDS, HOPE MILLS COLUMN, ROW ENTITLED *SIDEWALKS* (PAGE E5-E).

The Town of Hope Mills has requested a County Subdivision Ordinance text amendment so that the town's recently adopted sidewalk standards will apply to development of properties within the town's Municipal Influence Area (MIA). The Codes Committee has met on three occasions and the Comprehensive Planning Committee has met once concerning the above referenced subdivision ordinance text amendments. For detailed dates and explanation of pertinent events related to this recommendation, please see attached *P17-07: Timeline and Background Information* with attachments.

**1<sup>st</sup> MOTION**

The committees recommend the board find that the request from the Town of Hope Mills could only be consistent with the 2030 Growth Vision Plan, most particularly Policy Area 2: Well-Managed Growth and Development which specifies that "not all land is equally suited for development" and "Development that is convenient to existing public facilities maximizes taxpayer investments and minimizes local government service costs" if the modified staff recommended Hope Mills MIA boundary is approved. In addition, Policy Area 2 establishes the need for clearly defined urban and rural areas for development purposes and that different development standards should apply, "e.g. no curb and gutter, no streetlights, etc." where rural development densities are designated. The request with the modified Hope Mills MIA boundary would be more consistent with the Southwest Land Use Plan that clearly defines ideal development densities, patterns and standards for urban, suburban and farmland areas.

The committee recommends the board further find that approval of the requested text amendment would be reasonable and in the public interest **only if** the town's MIA boundary is modified as recommended by staff and agreed to by the Hope Mills Board of Commissioners with the text to Section 2302.A also being amended to

reflect the two district MIA boundaries, 10 year and 20 year which is intended to reflect those properties most likely to be annexed by the town within a 10 year and 20 year timeframe.

**2<sup>nd</sup> MOTION**

The committees' recommendation to approve the request provided that the boundary of the MIA is modified is based on the above information and the following:

1. The attached timeline establishes the discrepancies between the fairly recently adopted land use plans and the previously stated MIA purpose and intent;
2. The current MIA boundaries were generally created primarily as an attempt to stop the City of Fayetteville from annexing properties completely surrounding the smaller municipalities, which is no longer an issue due to the change in the annexation laws coupled with the change to the Public Works Commission's Charter; and
3. To include developed parcels within any MIA is fruitless and inequitable to the individual lot owners considering the current annexations laws.

**Ms. Hall made both motions referenced above, seconded by Mrs. Epler, to follow the staff recommendations and approve the text amendment. The motions passed unanimously.**

- B. **P17-33.** REVISION AND AMENDMENT TO THE TOWN OF HOPE MILLS ZONING ORDINANCE, AMENDING ARTICLE IV PERMITTED, CONDITIONAL AND SPECIAL USES, SECTION 102A-403. USE MATRIX, SPECIFICALLY THE ROW ENTITLED BILLBOARDS REQUIRING A SPECIAL USE PERMIT IN THE COLUMN LABELED C(P); AND ARTICLE XIII OFF-STREET PARKING AND LOADING, SECTION 102A-1302. OFF-STREET PARKING, SUB-SECTION (A) MINIMUM REQUIREMENTS, BY INSERTING IN ALPHABETICAL ORDER UNDER THE USES COLUMN THE TERM RESTAURANTS AND ESTABLISHING PARKING REQUIREMENTS FOR THE SAME; AND UPDATING THE TABLE OF CONTENTS IF APPROPRIATE. (HOPE MILLS)

The Planning & Inspections staff recommends approval of the attached Hope Mills Zoning Ordinance text amendment which, if approved, would correct two inadvertent issues within the ordinance. The provisions regulating billboards currently specify standards for approval of a Special Use Permit; however, the Use Matrix indicates that approval of a Conditional Zoning application is required for billboards in the C(P) Planned Commercial district. Also, off-street parking requirements for restaurants were not included in the 2008 re-write of the ordinance. This amendment was requested by the town staff.

In addition, the staff recommends the board find that approval of these amendments to the town's zoning ordinance is consistent with the adopted comprehensive plan designated as the **2030 Growth Vision Plan**, specifically including: Policy Area 2: *Well-Managed Growth and Development*. The proposed amendment is also consistent with the **Southwest Cumberland Land Use Plan** in that the objectives for development are clearly defined.

The staff further recommends the board find that approval of this amendment is reasonable and in the public interest based on the foregoing information and because if approved, the amendment will clear up conflicts within the ordinance.

**Ms. Hall made the motion referenced above, seconded by Mrs. Epler, to follow the staff recommendations and approve the text amendment. The motions passed unanimously.**

REZONING CASE

- C. **P17-27.** REZONING OF 1.84+/- ACRES FROM M(P) PLANNED INDUSTRIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT

2915 GILLESPIE STREET, SUBMITTED BY KINLAW'S WAREHOUSE, LLC (OWNER) AND REBECCA PERSON (AGENT).

#### **FIRST MOTION**

The Planning and Inspections Staff recommends the board find that approval of the request is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "urban" development at this location. The request is also consistent with the *South Central Land Use Plan*, which calls for "heavy commercial".

The staff 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 meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *public water and sewer required, PWC water and sewer is available; should have minimum direct access to a collector street, the subject property has access to Airport Road, which is a minor arterial street; should not be in a predominantly residential, office & institutional, or light commercial area, the area is predominantly zoned industrial and heavy commercial; may be co-located with light industrial/manufacturing uses; must be located on a sufficient site that provides adequate area for buffering, screening, and landscaping, subject property is located on 1.84+/- acres; and is located within an Activity Node area.*

#### **SECOND MOTION**

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P17-27 for C(P) Planned Commercial based on the following:

- The district requested will allow for land uses that exist in the general area; and
- If approved, will help ensure that a relatively large vacant non-residential structure is occupied.

**Ms. Hall made both motions referenced above, seconded by Mrs. Epler, to follow the staff recommendations and approve the C(P) rezoning request. The motions passed unanimously.**

- D. **P17-28.** REZONING OF 2.76+/- ACRES FROM A1 AGRICULTURAL & R40 RESIDENTIAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST SIDE OF SR 2233 (SCHOOL ROAD), WEST OF SR 2251 (YARBOROUGH ROAD); SUBMITTED BY JEFF AND JUDY DEVORE (OWNERS) AND TIM EVANS (AGENT).

#### **FIRST MOTION**

The Planning and Inspections Staff recommends the board find approval of the request is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "rural" development at this location, because the district requested will allow for single family dwelling units on relatively large lots in a rural area. Although the request is not entirely consistent with the *South Central Land Use Plan* which calls for "farmland," the requested district would restrict development to approximately one acre lots where soil conditions are suitable for septic systems.

The staff 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 meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *individual well and septic systems are allowed; could be located in any defined critical area as defined by the Fort Bragg Small Study Area; desirable to be limited to one unit per acre in areas with hydric soils and severe septic tank limitations; desirable to not be located in an area that is a prime industrial site and may be outside the Sewer Service Area.*

## SECOND MOTION

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P17-28 for R40 Residential based on the following:

- The district requested will allow for land uses and lot sizes that exist in the general area.

**Ms. Hall made both motions referenced above, seconded by Mrs. Epler, to follow the staff recommendations and approve the R40 rezoning request. The motions passed unanimously.**

## CONDITIONAL ZONING CASE

- E. **P17-24.** REZONING OF .55+/- ACRES FROM R6 RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS/CZ CONDITIONAL ZONING FOR HAIR SALON AND OFFICE SPACE OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3957 SOUTH MAIN STREET, SUBMITTED BY NELL B. JACKSON (OWNER) AND JOHN WHITE (AGENT). (HOPE MILLS)

## FIRST MOTION

The Planning and Inspections Staff recommends the board approve Case No. P17-24 for C1(P) Planned Local Business/CZ Conditional Zoning for hair salon and office space based on the following:

The applicant has voluntarily agreed to the Planning Board's request for changes to the site plan and application, to include retaining the historical nature of the exterior of the structure.

## SECOND MOTION

The Planning and Inspections Staff recommends the board further find that approval of the request is consistent with the adopted *2030 Growth Vision Plan* map, which calls for "urban" development, as well as generally consistent with the Southwest Cumberland Land Use Plan, which calls for "mixed use" development at this location.

The staff also recommends that the Town of Hope Mills consider adding this property, along with others in the area, to its Historic Preservation District to continue the work of preserving the town's historical architecture. This would aid the town in retaining the unique and quaint character of this portion of Main Street.

The applicant has agreed to the Ordinance Related Conditions

**OTHER SUITABLE DISTRICTS:** None

**Ms. Hall made both motions referenced above, seconded by Mrs. Epler, to follow the staff recommendations and approve the rezoning request for C1(P) Planned Local Business/CZ Conditional Zoning for hair salon and office space. The motions passed unanimously.**

## IX. DISCUSSION

### DIRECTOR'S UPDATE

- Mr. Lloyd asked the Board to think about topics and guest requests for future informational sessions.

## XI. ADJOURNMENT

There being no further business, the meeting adjourned at 7:15 pm.