

Amy H. Cannon
County Manager

Tracy Jackson
Assistant County Manager



Rawls Howard
Director

David Moon
Deputy Director

Cumberland County Joint Planning Board

MINUTES

September 21, 2021

Members Present

Mr. Tom Lloyd – Acting Chair
Mrs. Susan Moody
Mr. James Baker
Mr. Gary Burton
Mr. Mark Williams
Mrs. Jami McLaughlin

Members Absent

Ms. Cassandra Herbert
Mr. Jordan Stewart
Mr. Crumpler

Others Present

Mr. Rawls Howard
Mr. Rick Moorefield
County Attorney
Ms. Annie Melvin
Mr. Telly Shinas
Mrs. Laverne Howard
Mr. Trey Smith

I. INVOCATION AND PLEDGE OF ALLEGIANCE

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

II. APPROVAL OF / ADJUSTMENTS TO AGENDA

There were none.

Mrs. Moody made a motion seconded by Mrs. McLaughlin to approve the agenda as submitted. Unanimous approval.

III. PUBLIC MEETING DEFERRAL

There were none.

IV. ABSTENTIONS BY BOARD MEMBERS

There were none.

V. APPROVAL OF THE MINUTES OF AUGUST 17, 2021

Mr. Burton made a motion, seconded by Mrs. Moody to approve the minutes as submitted. Unanimous approval.

VI. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE

Acting Chair Lloyd read the welcome and rules of procedures.

VII. PUBLIC MEETING CONSENT ITEMS



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TEXT AMENDMENTS

- A. **ZON-21-0004:** Text amendment for Cumberland County Zoning Ordinance, to create a new Section 112; pre-application meetings, mandating and providing direction for pre-application conference meetings prior to land development submittal; County (Applicant).

Staff recommends approval of the text amendment for the new Section 112 of the Cumberland County Zoning Ordinance.

In Case ZON-21-0004, Mrs. Moody made a motion, seconded by Mrs. McLaughlin to recommend approval of the text amendment for the new Section 112 of the Cumberland County Zoning Ordinance. Unanimous approval.

- B. **ZON-21-0005:** Text amendment for Cumberland County Zoning Ordinance; amending section 1501; to include new requirements for neighbor communications summary reports for all conditional zoning request applications for any agricultural or residential district that involves more than 10 acres and proposes an increase in density from what is existing or includes a zero-lot line subdivision; County (Applicant).

Staff recommends approval of the text amendment to Section 1501 of the Cumberland County Zoning Ordinance.

In Case ZON-21-0005, Mrs. Moody made a motion, seconded by Mrs. McLaughlin to recommend approval of the text amendment to Section 1501 of the Cumberland County Zoning Ordinance. Unanimous approval.

- C. **P21-49:** Text amendment for Town of Eastover Article VIII.I Overlay Districts Revisions; for the purpose of amending allowed uses within commercial core overlays and site dimensional criteria; Town of Eastover (Applicant). (**EASTOVER**)

Staff has reviewed the Town of Eastover's text amendment request in accordance with their Comprehensive Plan Policies and have identified no inconsistency. Therefore, staff has no objection.

In Case P21-49, Mrs. Moody made a motion, seconded by Mrs. McLaughlin to recommend approval of the text amendment. Unanimous approval.

- D. **ZON-21-0012:** Text amendment for Town of Eastover Article VIII.I Overlay Districts Revisions; for the purpose of allowing exemptions for government and municipal signs within commercial core overlays; Town of Eastover (Applicant). (**EASTOVER**)

Staff has reviewed the Town of Eastover's text amendment request in accordance with their Comprehensive Plan Policies and have identified no inconsistency. Therefore, staff has no objection.

In Case ZON-21-0012, Mrs. Moody made a motion, seconded by Mrs. McLaughlin to recommend approval of the text amendment. Unanimous approval.



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REZONING CASES

- E. **ZON-21-0007:** Rezoning of 0.50 +/- acres from R10 Residential District to C(P) Planned Commercial District or to a more restrictive zoning district; located at 5725 Camden Road; submitted by Yarborough, Winters & Neville, P.A. (agent) on behalf of David Ferruzzi (owner).

In Case ZON-21-0007, the Planning and Inspections staff recommends approval of the rezoning request from R10 Residential District to C(P) Planned Commercial District. Staff finds the request is consistent with the Southwest Cumberland Land Use Plan (2013) which calls for Heavy Commercial at this location. Staff further finds that recommending approval of the request is reasonable and in the public interest because the C(P) Planned Commercial District would allow an atmosphere that supports existing and future commercial activities while complimenting the existing residential area that would be compatible and in harmony with the surrounding land use activities and zoning.

In Case ZON-21-0007, Mrs. Moody made a motion, seconded by Mrs. McLaughlin to recommend approval of the rezoning request R10 Residential District to C(P) Planned Commercial District. Staff finds the request is consistent with the Southwest Cumberland Land Use Plan (2013) which calls for Heavy Commercial at this location. Staff further finds that recommending approval of the request is reasonable and in the public interest because the C(P) Planned Commercial District would allow an atmosphere that supports existing and future commercial activities while complimenting the existing residential area that would be compatible and in harmony with the surrounding land use activities and zoning. Unanimous approval.

- F. **ZON-21-0008:** Rezoning of a portion of two lots on 0.58 +/- acres from CD Conservancy District/CUD Conditional Use District to R15 Residential District/ Conditional Use District or a more restrictive district; located at 2241 & 2245 Mannington Drive; submitted by Moorman, Kaiser, And Reitzel, Inc. on behalf of Pami Remodeling (Owner).

In Case ZON-21-0008, the Planning and Inspections staff recommends approval of the rezoning request from CD Conservancy District/ CUD Conditional Use District to R15 Residential District/ CUD Conditional Use District and finds: A. The approval is an amendment to the adopted, current South Central Land Use Plan; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request. B. The applicant has petitioned to amend the existing flood maps to remove the flood boundaries from the affected lots. C. The existing land use plan designation of "open space" is based off the existing flood hazard lines. The request is reasonable and in the public interest because the requested district would allow development that would be compatible and in harmony with the surrounding land use activities and zoning.

In Case ZON-21-0008, Mrs. Moody made a motion, seconded by Mrs. McLaughlin to recommend approval of the rezoning request from CD Conservancy District/ CUD Conditional Use District to R15 Residential District/ CUD Conditional Use District and finds: A. The approval is an amendment to the adopted, current South Central Land Use Plan; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request. B. The applicant has petitioned to amend the existing flood maps to remove the flood boundaries from the affected lots. C. The existing land use plan designation of "open space" is based off the existing flood hazard lines. The request is reasonable and in the public interest because the requested district would allow development that would be compatible and in harmony with the surrounding land use activities and zoning. Unanimous approval.



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- G. **ZON-21-0009:** Rezoning of 10.32 +/- acres from A1 Agricultural District to RR Rural Residential District or to a more restrictive zoning district; located North of Sanderosa Road and east of Baywood Road; submitted by George Rose (agent) on behalf of R Chi, LLC (owner).

In Case ZON-21-0009, the Planning and Inspections staff recommends approval of the rezoning request from A1 Agricultural District to RR Rural Residential District and find the request is consistent with the Eastover Land Use Plan (2018) which calls for Rural Density Residential at this location. Staff further finds that recommending approval of the request is reasonable and in the public interest as the district requested is in harmony with surrounding existing land uses and zoning.

In Case ZON-21-0009, Mrs. Moody made a motion, seconded by Mrs. McLaughlin to recommend approval of the rezoning request from A1 Agricultural District to RR Rural Residential District and find the request is consistent with the Eastover Land Use Plan (2018) which calls for Rural Density Residential at this location. Staff further finds that recommending approval of the request is reasonable and in the public interest as the district requested is in harmony with surrounding existing land uses and zoning. Unanimous approval.

VIII. PUBLIC MEETING CONTESTED ITEMS

REZONING CASE

- H. **ZON-21-0010:** Rezoning of 110.89 +/- acres from Initial Zoning District to R6 Residential District or to a more restrictive zoning district; located at 703 Sand Hill Road; submitted by Town of Hope Mills (agent) on behalf of Elizabeth C Paul, Michael B Cashwell, Steven N Cashwell, Angus Dixon Cashwell, Emily C Johnson, Lauchlin M Cashwell, Mary C Frasche, Prudence C Bradley, Waymon W Trustee Wood, Margaret C Trustee Wood, Charles Darrell Kennedy, Sara C Donaldson, Helen C Trustee Cashwell, Catherine Macdonald Ingram, M Lauchlin Macdonald, Charlotte E Macdonald, Henry Walter Holt, Jr. & Willian Derossset Holt, II (owners). **(HOPE MILLS)**

Mr. Shinas presented the case information and photos.

In Case ZON-21-0010, the Planning and Inspections staff recommends denial of the initial rezoning request from County A1 and C(P) to Town R6 Residential District and recommends an alternative zoning district of M1(P) Planned Light Industrial District. Staff further finds: A. The approval is an amendment to the adopted, current South Central Land Use Plan and Southwest Cumberland Land Use Plan; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request. B. The alternative recommendation would meet the economic development needs of the community and would ease the transition between more intense and less intense land uses. C. The request is reasonable and in the public interest because the alternative recommendation of the M1(P) zoning district would be designed to allow a wide variety of light industrial operations, making it more compatible and in harmony with the surrounding land use activities and zoning.

Mr. Howard stated that it was atypical for staff to offer an alternative zoning for an initial zoning because it's attached to an annexation but wanted to bullet point a few facts that were talked about, one being a business meeting that took place with FCEDC, the Mayor for the Town of Hope Mills and Mayors from other towns, and utility providers that discussed business development in the County. This site was identified for its access to I-95, close proximity to the Walmart Distribution Center, sits

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on high ground, has water and sewer, and a number of factors that makes this a prime area for industrial development.

There were people signed up to speak in favor. There was no one present to speak in opposition

Public meeting opened.

Mr. Joe Riddle spoke in favor. Mr. Riddle stated that his company is representing the seller in this transaction. Mr. Riddle said that he is very involved in this project and has had many conversations with FCEDC and was surprised that they were getting involved with zoning. He understands staff asking for an opinion but writing a letter recommending industrial zoning is surprising. He said that the County has not done a good job with industrial zoning, they have lost business by not zoning industrial and gave examples of lost businesses due to not zoning industrial.

Candice Alexander spoke in favor. Ms. Alexander was present representing the buyer and the developer of the subject property. Ms. Alexander said that she was available to answer any questions that the Board may have. They are a ready, willing, and able buyer working with the Town of Hope Mills, they are a residential developer and are proposing to build work force housing.

Chancer McLaughlin, Planning and Economic Development Director for the Town of Hope Mills, spoke in favor. Mr. McLaughlin stated that they are looking at this from a regional standpoint they get calls of all types for development in the area. Mr. McLaughlin pointed out areas on the map of industrial zoning over the last few years in Hope Mills. He also stated that industrial development leads to jobs which leads to residential which results in retail. They are trying to keep a healthy balance of industrial, retail, and residential development in the area. They have industrial coming, but he is also getting calls for retail and residential.

Mrs. Moody asked if this is rezoned to R6 without conditions, anybody can come and do anything, with a such a big piece of property and the amenities that it already has, she has concerns with rezoning to residential.

Mr. McLaughlin said that that is typically when there is a challenge with a site, the requests are made to address concerns that there may be.

Mr. Lloyd asked if there was a mixed-use district in Hope Mills, Mr. McLaughlin said yes, Mr. Lloyd stated that they could zone as a mixed use.

Mr. McLaughlin said that when they do an initial zoning, they want to make sure that the zoning is going to allow for the facilitation of the project when they annex.

Mr. Lloyd said that in their mixed-use district they could develop that at R6 or R5, if the owner chose, they could take any mixed-use district and develop it all residential.

Mr. McLaughlin said in theory, yes. The staff recommendation is not saying recommend denial, keep it mixed use, taking it to industrial is basically killing the project. Because we have already annexed the site. We are feeling a lot more confident after having so many engineer-based meetings, and now the final meeting we have for annexations comes with a staff recommendation with recommendations from all regulatory departments.

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Candice Alexander stated that they hired a company to do a TIA, they already have a substantial investment into the project. They are designing the whole tract; it's not going to be a situation where there is going to be land left and you don't know what we are going to do. The design that we come in with will be for the entire tract.

Public meeting closed.

Mrs. Moody said that she had mixed feelings about this, because it is a big piece of property, does have water and sewer, and access to I-95. But she does understand that in the Town of Hope Mills, they need workforce housing. Mrs. Moody also said that after she listened to the presentation, she has changed her mind and supports the town and their request.

Mr. Lloyd said after talking to Rawls, he was ready to vote for industrial, but it seems as though we are going against the plans more and more. Plans are important as we're finding out. This was an extensive plan, although he agrees with the Economic Developer, he can see that it used to be that Economic Development was more proactive at targeting areas, talking to people, participating in land use plans which we haven't seen lately. The town is better positioned to say what they need, and of course they will have the final say.

Mr. Williams said that he thinks it's important to acknowledge the work that Hope Mills has done, they have a plan in place, and they have a more acute sense of what that land is useful for. Mr. Williams said that he would be in favor of supporting the town and their recommendation.

In Case ZON-21-0010, Mrs. Moody made a motion, seconded by Mr. Baker to approve the initial zoning request for County A1 and C(P) to Town R6 Residential District. The motion passed with Mr. Burton voting in opposition.

IX. PUBLIC MEETING ITEM

BETHANY LAND USE PLAN

Mrs. McLaughlin left the meeting.

Mr. Smith went over the plan area, the processes and timelines, the existing conditions, and the changes that were made, current zoning, land cover, utilities, flood zones and wetlands, hydric soils, present use and voluntary agricultural district, prime farmland, future land use, the maps of the Bethany area, rural classifications and policies, and the recommendations that came out of the public meetings.

Mr. Howard added that there were a lot of comments that came out of the public meetings that were held. Mr. Howard pointed out that R40 zoning has been deemed acceptable in rural areas, but we will probably hear that the residents want that taken out from the rural areas for this plan.

Public meeting opened.

Ms. Robin Bridges spoke in opposition. Ms. Bridges stated that she was not in favor of this plan. Bethany wants to stay A1, preserve their farmland and rural lifestyle. Ms. Bridges says she's asked that a drawing from the Stedman plan be incorporated into this plan and that didn't happen, she stated that all they get are empty promises. Ms. Bridges provided the Board with a list of concerns and grievances and said that they needed to work better on a few issues.

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Mr. Steven Bullard presented rules of classification to the Board and read his statement of disapproval to the Board. Statement included why he disapproved of rezoning to R40 and his desire to keep zoning at A1.

Mr. Joe Riddle spoke in opposition. Mr. Riddle stated that he did attend the meeting at the church. Mr. Riddle stated that his interest in the Bethany area is because he is looking for a place to build houses. Mr. Riddle said he wasn't really against, but just wanted to be informed.

Public meeting closed.

Mr. Lloyd commended staff on their work with everything they had to contend with.

Mrs. Moody says that when she goes back and looks at the vision statement it talks about vibrant rural community, agriculture, well managed, harmonious, and she grew up in a farm community and can appreciate where the speakers are coming from. Looking at going to the R40, just because these are the recommendations doesn't mean there can't be further changes to it. Mrs. Moody said she was kind of anxious about adding the R40 language.

Mr. Lloyd said in order to do responsible planning you have an area that is this large in size and there are nine hundred and eighty people in it, there are twenty or twenty-five that are vocal, just thinks that it is irresponsible planning to say we are just going to do blanket A1, when there are already lots out there. The small group that is sitting in here does not represent the nine hundred and eighty people. Mr. Lloyd said that he thinks there needs to be room for growth and responsible planning.

Mr. Williams said that one side wants to keep everything the way it is, and if there are people who don't mind it changing, they should have been present. Mr. Williams said that he thought it would be in their best interest to keep R40 out.

Mrs. Moody made a motion, seconded by Mr. Burton to approve the Bethany Land Use Plan as presented and recommended by staff. The motion passed with Mrs. Moody, Mr. Burton, and Mr. Lloyd voting in favor and Mr. Baker and Mr. Williams voting in opposition.

X. DISCUSSION

- SPRING LAKE LAND USE PLAN

Mr. Howard advised the Board that the Spring Lake Plan was about to kick off and gave them an update on the first meeting and invited them to attend.

- SIGN ORDINANCE UPDATE

Mr. Howard reminded the Board about the Sign Ordinance Update and asked for feedback and confirmations on who would be attending the first meeting with the consultant.

- NOVUS AGENDA

Mr. Howard advised the Board that we have moved to a new system for posting our Planning Board Packets on our website and explained the changes to them.

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X. ADJOURNMENT

There being no further business, the meeting adjourned at 7:48 p.m.