



Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

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

Benny Pearce,
Town of Eastover

CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

Planning & Inspections Department

MINUTES

February 16, 2016

Members Present

Ms. Patricia Hall, Chair
Mr. Carl Manning
Mr. Benny Pearce
Mrs. Diane Wheatley
Mrs. Jami McLaughlin
Mr. Walter Clark

Members Absent

Mr. Donovan McLaurin
Mr. Harvey Cain, Jr.
Dr. Vikki Andrews
Mr. Charles Morris

Others Present

Mr. Thomas Lloyd
Ms. Patricia Speicher
Mrs. Laverne Howard
Mr. Rick Moorefield,
County Attorney

I. INVOCATION AND PLEDGE OF ALLEGIANCE

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

II. APPROVAL OF / ADJUSTMENTS TO AGENDA.

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

III. PUBLIC HEARING WITHDRAWAL

CASE NO. 16-010. CONSIDERATION OF THE SOUTH CYPRESS SUBDIVISION REVIEW; REQUEST FOR A WAIVER FROM THE REQUIREMENT TO CONNECT TO PUBLIC SEWER WITHIN THE SEWER SERVICES AREA; COUNTY SUBDIVISION ORDINANCE, SECTION 2306.A.1.B, UTILITIES; ZONED: A1; TOTAL ACREAGE: 4.71+/-; LOCATED ON BOTH SIDES OF SR 4518 (DULLES ROAD), SOUTHWEST OF SR 3933 (DELANCY DRIVE); SUBMITTED BY ROBERT AND STEPHANIE VAUGHN (OWNER) AND CHRIS ROBERTS (AGENT).

Mr. Pearce made a motion to approve the withdrawal, seconded by Mr. Manning. Unanimous approval.

IV. ABSTENTIONS BY BOARD MEMBERS

There were none.

V. APPROVAL OF THE MINUTES OF JANUARY 19, 2016

Mrs. Wheatley made a motion to accept the minutes as submitted, seconded by Mrs. McLaughlin. Unanimous approval.

VI. PUBLIC HEARING CONSENT ITEM

TEXT AMENDMENT

A. **P16-09.** REVISION AND AMENDMENT TO THE EASTOVER COMMERCIAL CORE OVERLAY DISTRICT (CCO), SECTION 801 OF THE TOWN OF EASTOVER SUPPLEMENT TO THE COUNTY ZONING ORDINANCE, SPECIFICALLY SUB-SECTION D. *DEVELOPMENT STANDARDS.* (EASTOVER)

1ST MOTION

The Planning and Inspections Staff recommends approval of Case No. P16-09 for a text amendment inserting specific provisions based on the following:

1. If approved, the proposed amendment would give the Town Board the ability to deviate from the development standards of the ordinance so as not to impose a hardship on the developer or detrimentally affect existing or required necessary improvements.
2. The amendment was requested by the Eastover Town Council.

2ND MOTION

The Planning and Inspections Staff recommends the board find that approval of the text amendment in Case No. P16-09 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan* whereas Policy Area 3 establishes that *the location, timing and capacity of infrastructure such as roads, water and sewer utilities, schools, parks and drainage are among the most influential factors affecting growth and development. 2030 policies and actions suggest that local governments should become more proactive in using these features to direct growth and development intelligently and to protect taxpayer investments in these facilities.* The proposed amendment is also consistent with the Eastover Land Use Plan as it will afford the town board the opportunity to ensure the character of the town is retained, a stated primary goal of the plan.

The Planning and Inspections Staff further recommends the board find that the approval of the text amendment in Case No. P16-09 is reasonable because it was intended prevent imposing unfair regulations for the potential development of properties.

Mr. Pearce made both of the motions referenced above, seconded by Mrs. Wheatley, to follow the staff recommendations and approve the text amendment. The motions passed unanimously.

REZONING CASES

- B. **P16-06.** REZONING OF 4.75+/- ACRES FROM A1 AGRICULTURAL TO M(P) PLANNED INDUSTRIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE WEST SIDE OF SR 1714 (RIVER ROAD), NORTHWEST OF SR 1728 (MIDDLE ROAD); SUBMITTED BY FULCHER REAL ESTATE, LLC (OWNER).

1ST MOTION

The Planning and Inspections Staff recommends the board find that the request is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “urban” at this location, the subject property is located in close proximity to the Fayetteville City Limits. The recommended district is not consistent with the Eastover Land Use Plan which calls for “one acre residential” at this location; however, the adjacent property is zoned industrial.

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 most of the location criteria of the adopted Land Use Policies Plan, in that: *public water and sewer required*, public water is available, however, sewer is not yet available; *should have a minimum direct access to a thoroughfare*, River Road (SR 1714) is a thoroughfare; *should not be in a predominantly residential, office & institutional, or light commercial area*; *must be located on large tracts that provide adequate area for buffering, screening, and landscaping unless located in an existing or proposed heavy industrial/manufacturing area*, subject property is 4.75+/- acres; *outside the Special Flood Hazard area*, there is no flood present on the subject property.

2nd MOTION

The Planning and Inspections Staff recommends approval of Case No. P16-06 to M(P) Planned Industrial district based on the following:

- The location and character of the requested district is in harmony with uses in the general area and the adjacent industrial zoned property.

The M1(P) district could be considered suitable for this request.

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

- C. **P16-07.** REZONING OF 1.00+/- ACRES R10 RESIDENTIAL TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3804 & 3814 BOONE TRAIL AND 4209 PIEDMONT AVENUE, SUBMITTED BY TOMMIE L. DOUGLAS (OWNER).

1st MOTION

The Planning and Inspections Staff recommends the board find that the request is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “urban” at this location, the subject property is located in close proximity to the Fayetteville city limits. The recommended district is generally consistent with the Southwest Cumberland Land Use Plan which calls for “heavy commercial & medium density residential” at this location.

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 most of the location criteria of the adopted Land Use Policies Plan, in that: *public water and sewer required*, any new development may require connection to the public services; *should have direct access to a collector street*, Boone Trail is a collector street; *should serve as a transition between heavy commercial, office & institutional or residential development*, this general area has been in transition to commercial for several years and is adjacent to existing residential; *should have other light uses in the area*; *should provide convenient goods and services to the immediate surrounding neighborhood*; *may be located along a street that is in transition from residential to non-residential through redevelopment and physical improvements*; *may be located in an Activity Node or in a designated heavy commercial area*.

2nd MOTION

The Planning and Inspections Staff recommends approval of Case No. P16-07 to C2(P) Planned Service and Retail district based on the following:

- The location and character of the requested district will be in harmony with the adjacent commercially zoned properties.

The C1(P) Planned Local Business district could also be considered suitable for this location.

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

- D. **P16-12.** REZONING OF 4.91+/- ACRES FROM R10 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 901 LILLINGTON HIGHWAY (NC HWY 210), SUBMITTED BY CUMBERLAND COUNTY BOARD OF EDUCATION (OWNER) AND DAVID SULLIVAN (ATTORNEY) ON BEHALF OF FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE. (SPRING LAKE)

1st MOTION

The County Planning Staff recommends the board find that approval of the request is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan* because the Plan calls for “urban” at this location, the subject property is located inside the Spring Lake corporate limits. The request is also consistent with the Spring Lake Area Detailed Land Use Plan which calls for “government” at this location; C(P) allows for government uses.

The staff recommends the board further find that approval of request is reasonable and in the public interest because the location criteria as listed in the adopted Land Use Policies Plan will be met or exceeded: *public water and sewer are available, the property has minimum direct access to a collector street*, Lillington Highway is a principal arterial street, and *located on a sufficient site that provides adequate area for buffering, screening and landscaping*, the portion to be rezoned is 4.91+/- acres.

2nd MOTION

The Planning and Inspections Staff recommends approval of Case No. P16-12 for C(P) Planned Commercial district based on the following:

- If approved, the zoning would be consistent with the zoning and uses of properties in the general area.

The C3 district could also be considered suitable for this location.

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

VII. DISCUSSION

DIRECTOR'S UPDATE

- Mr. Lloyd reminded the Board about the workshops to start on March 1, 2016 at 11:30 am. They will cover how staff uses the various plans in making recommendations.
- Mr. Lloyd presented the idea of conference calling for a meeting in the event of inclement weather.

Mrs. McLaughlin made a motion to conduct a meeting via conference call in the event of inclement weather if the staff deems necessary after researching and working out the logistics, seconded by Mrs. Wheatley.

XI. ADJOURNMENT

There being no further business, the meeting adjourned at 7:22 pm.