

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

Vacant,  
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**  
May 21, 2019

**Members Present**

Mr. Charles Morris – Chairman  
Dr. Vikki Andrews  
Mr. Harvey Cain Jr.  
Mr. Carl Manning  
Mr. Stan Crumpler  
Mrs. Jamie McLaughlin  
Mrs. Lori Epler  
Ms. Patricia Hall

**Members Absent**

Mrs. Diane Wheatley

**Others Present**

Mr. Joel Strickland  
Ms. Annie Melvin  
Mr. Edward Byrne  
Mrs. Laverne Howard  
Mr. Rick Moorefield,  
County Attorney

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Hall delivered the invocation, and Chair Morris led those present in the Pledge of Allegiance.

II. APPROVAL OF / ADJUSTMENTS TO AGENDA

There were none.

**Mrs. Epler made a motion seconded by Mr. Crumpler to approve the agenda. Unanimous approval.**

III. PUBLIC HEARING WITHDRAWAL / DEFERRAL

There were none.

IV. ABSTENTIONS BY BOARD MEMBERS

Mrs. Epler stated that she would abstain from voting on Case P19-27.

**Ms. Hall made a motion seconded by Mrs. McLaughlin to approve the abstention. Unanimous approval.**

V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

Mr. Strickland read the policy statement.

VI. APPROVAL OF THE MINUTES OF APRIL 16, 2019

**Mrs. Epler made a motion, seconded by Mr. Crumpler to approve the minutes as submitted.**

VII. PUBLIC HEARING CONSENT ITEMS

TEXT AMENDMENT

- A. **P19-28. REVISION AND AMENDMENT TO THE TOWN OF HOPE MILLS ZONING ORDINANCE, REGARDING PROVISIONS RELATED TO THE BOARD OF ADJUSTMENT, SPECIFICALLY ARTICLE XVII BOARD OF ADJUSTMENT IN ITS ENTIRETY. (HOPE MILLS)**

In Case P19-28, the Planning & Inspections staff recommends approval of the text amendment to the Hope Mills Zoning Ordinance which, if approved, would establish an appointed Board of Adjustment chosen by the Hope Mills Board of Commissioners, finding it is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, specifically including: *Policy Area 2: Well-Managed Growth and Development* and the Southwest Cumberland Land Use Plan (2014) goal of ensuring compatibility of land uses as well as promoting development that has a positive impact on the social, natural and environmental conditions in the immediate surrounding area. The staff further finds that approval of the amendment is reasonable and in the public interest based on the foregoing information and that by ensuring certain uses are limited to areas where by the small town character will not be affected. Additionally, this amendment was prepared and submitted by the Town of Hope Mills.

This proposed text amendment would not cause any changes to the Southwest Cumberland Land Use Plan map.

**In Case P19-28, Ms. Hall made a motion, seconded by Mr. Cain to approve of the text amendment to the Hope Mills Zoning Ordinance which, if approved, would establish an appointed Board of Adjustment chosen by the Hope Mills Board of Commissioners, finding it is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, specifically including: *Policy Area 2: Well-Managed Growth and Development* and the Southwest Cumberland Land Use Plan (2014) goal of ensuring compatibility of land uses as well as promoting development that has a positive impact on the social, natural and environmental conditions in the immediate surrounding area. The staff further finds that approval of the amendment is reasonable and in the public interest based on the foregoing information and that by ensuring certain uses are limited to areas where by the small town character will not be affected. Unanimous approval.**

#### REZONING CASES

- B. **P19-23.** REZONING OF 40.71+/- ACRES FROM A1 AGRICULTURAL, RR RURAL RESIDENTIAL & R6A RESIDENTIAL TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2659 & 2721 BALLPARK ROAD; SUBMITTED BY KIM NAZARCHYK, TOWN MANAGER ON BEHALF OF THE TOWN OF EASTOVER (OWNER). (EASTOVER)

In Case P19-23, the Planning and Inspections Staff recommends approval of the rezoning from A1 Agricultural, RR Rural Residential and R6A Residential to A1 Agricultural and find this recommendation to be consistent with the Eastover Land Use Plan (2018) which calls for “open space” at this location, the A1 Agricultural district allows for the development of greenways, parks and similar amenities desired within the “open space” designation and further find 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 the development of recreational amenities to the benefit of all citizens in the area.

**In Case P19-23, Ms. Hall made a motion, seconded by Mr. Cain to approve the rezoning from A1 Agricultural, RR Rural Residential and R6A Residential to A1 Agricultural and find this recommendation to be consistent with the Eastover Land Use Plan (2018) which calls for “open space” at this location, the A1 Agricultural district allows for the development of greenways, parks and similar amenities desired within the “open space” designation and further find 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 the development of recreational amenities to the benefit of all citizens in the area. Unanimous approval.**

- C. **P19-24.** REZONING OF 2.35+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 1122 JOHN MCMILLAN ROAD, SUBMITTED BY WANDA C. & WENDY A. AUSTIN (OWNER).

In Case P19-24, 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 and existing land uses.

**In Case P19-24, Ms. Hall made a motion, seconded by Mr. Cain to approve 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 and existing land uses. Unanimous approval.**

- D. **P19-25:** REZONING OF 31.89+/- ACRES FROM R10 RESIDENTIAL & C(P) PLANNED COMMERCIAL TO R6 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3681 ELK ROAD; SUBMITTED BY DAVE AVERETTE ON BEHALF OF LAND ASSOCIATES, INC. (OWNER) AND MICHAEL T. BLAKLEY ON BEHALF OF DRAFTING AND DESIGN SERVICES, INC. (AGENT).

In Case P19-25, the Planning and Inspections Staff recommends approval of the rezoning from R10 Residential & C(P) Planned Commercial to R6 Residential and find: a) The approval is an amendment to the adopted current Southwest Cumberland Land Use Plan (2013) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request; b) The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the subject property meets most of the location criteria for “medium density residential” as defined in the Land Use Policies Plan (2009), and the “heavy commercial” designation was likely put in place due to the existing C(P) Planned Commercial zoning on the subject property; c) And, this rezoning approval is reasonable and in the public interest because the district requested is in harmony with the surrounding zoning and existing land uses.

**In Case P19-25, Ms. Hall made a motion, seconded by Mr. Cain to approve the rezoning from R10 Residential & C(P) Planned Commercial to R6 Residential and find: a) The approval is an amendment to the adopted current Southwest Cumberland Land Use Plan (2013) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request; b) The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the subject property meets most of the location criteria for “medium density residential” as defined in the Land Use Policies Plan (2009), and the “heavy commercial” designation was likely put in place due to the existing C(P) Planned Commercial zoning on the subject property; c) And, this rezoning approval is reasonable and in the public interest because the district requested is in harmony with the surrounding zoning and existing land uses. Unanimous approval.**

- E. **P19-26:** REZONING OF 2.53+/- ACRES FROM A1 AGRICULTURAL TO RR RURAL RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5137 MAXWELL ROAD; SUBMITTED BY KEVIN CARROLL ON BEHALF OF BUNCE CARROLL INVESTMENTS, LLC (OWNER).

In Case P19-26, the Planning and Inspections Staff recommends approval of the rezoning from A1 Agricultural to RR Rural Residential and find it is consistent with the adopted Eastover Land Use Plan (2018) which calls for “rural density residential” at this location, the text of the plan states that RR Rural Residential is an applicable district under the “rural density residential” designation and further find

approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding zoning and existing land uses.

**In Case P19-26, Ms. Hall made a motion, seconded by Mr. Cain to approve the rezoning from A1 Agricultural to RR Rural Residential and find it is consistent with the adopted Eastover Land Use Plan (2018) which calls for “rural density residential” at this location, the text of the plan states that RR Rural Residential is an applicable district under the “rural density residential” designation and further find approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding zoning and existing land uses. Unanimous approval.**

- F. **P19-27. REZONING OF 77.30+/- ACRES FROM C3 HEAVY COMMERCIAL & C(P) PLANNED COMMERCIAL TO M1(P) PLANNED LIGHT INDUSTRIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON BOTH SIDES OF SR 2333 (CORPORATION DRIVE), WEST OF WALMART DRIVE; SUBMITTED BY PALMER WILLIAMS ON BEHALF OF PELICAN PROPERTY HOLDINGS, LLC AND GREAT OAKS PROPERTY HOLDINGS, LLC (OWNERS) & WILLIAM SEYMOUR (AGENT). (HOPE MILLS)**

In Case P19-27, the Planning and Inspections Staff recommends approval of the rezoning from C3 Heavy Commercial & C(P) Planned Commercial to M1(P) Planned Light Industrial and find: a) The approval is an amendment to the adopted current Southwest Cumberland Land Use Plan (2014) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request; b) The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the subject property meets the location criteria for “light industrial/manufacturing” as defined in the Land Use Policies Plan (2009), and the heavy commercial designation was likely put in place due to the existing C3 & C(P) zoning on the subject property; c) And, this rezoning approval is reasonable and in the public interest because the district requested in harmony with surrounding zoning and the tracts are of sufficient size to allow for adequate buffering, landscaping and parking for an industrial use when recombined.

**In Case P19-27, Ms. Hall made a motion, seconded by Mr. Cain to approve the rezoning from C3 Heavy Commercial & C(P) Planned Commercial to M1(P) Planned Light Industrial and find: a) The approval is an amendment to the adopted current Southwest Cumberland Land Use Plan (2014) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request; b) The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the subject property meets the location criteria for “light industrial/manufacturing” as defined in the Land Use Policies Plan (2009), and the heavy commercial designation was likely put in place due to the existing C3 & C(P) zoning on the subject property; c) And, this rezoning approval is reasonable and in the public interest because the district requested in harmony with surrounding zoning and the tracts are of sufficient size to allow for adequate buffering, landscaping and parking for an industrial use when recombined. The motion passed with Mrs. Epler abstaining from the vote.**

#### VIII. PUBLIC HEARING CONTESTED ITEMS

- G. **P19-22. REZONING OF 0.73+/- ACRES FROM R10 RESIDENTIAL TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 6050 CAMDEN ROAD, SUBMITTED BY JEFFREY WRIGHT (OWNER).**

Mr. Byrne presented the case information and photos.

In Case P19-22, the Planning and Inspections Staff recommends denial of the rezoning from R10 Residential to C2(P) Planned Service and Retail; however, staff does recommend rezoning from R10 Residential to C1(P) Planned Local Business District and find that this recommendation is consistent

with the Southwest Cumberland Land Use Plan (2013) which calls for “mixed use development” at this location, C1(P) Planned Local Business District allows for light commercial uses desired within the “mixed use” designation and further find approval of this recommendation of C1(P) is reasonable and in the public interest because the district is more in harmony with the surrounding established residential and light commercial zoning.

Note: The requested C2(P) Planned Service and Retail district is also consistent with the Southwest Cumberland Land Use Plan (2013) designation of “mixed use development”, however the C1(P) Planned Local Business serves as a better transition between the established residential and any future commercial development as well as provides less restrictive setbacks for development of the subject property.

The petitioner was not present, and no one was present to speak in favor or in opposition.

Mrs. Epler asked if staff was recommending a lesser zoning than what the applicant was requesting.

Mr. Byrne went on to explain why staff made their recommendation.

Mr. Morris said that there was no commercial development on that side of the road, and now commercial is going to be allowed on that side of the road.

Mr. Byrne said that’s why they went with the more restrictive zoning because of the residential and O & I(P) is also another transitional zoning between commercial and residential.

Mr. Morris said that he had a problem seeing commercial on that side of the road, he would rather see O & I(P) zoning, R5 and R6 would also be consistent.

**In Case P19-22, Mr. Morris made a motion, seconded by Mr. Crumpler to recommend denial of the rezoning from R10 Residential to C2(P) Planned Service and Retail although the request is consistent with the Southwest Cumberland Land Use Plan (2013) which calls for “mixed use development” at this location; and further find that denial of the rezoning is reasonable and in the public interest because the requested district would allow the encroachment of commercial zoning in an established residentially zoned area on the north side of Camden Road. Unanimous approval.**

#### IX. DISCUSSION

- Mr. Strickland presented the Board members with the requested list of appointment dates, terms, and expiration dates for each of them.
- Mr. Strickland advised the Board that the Nominations Committee would need to meet before the next Planning Board meeting to vote on a new Chairman and Vice-Chairman.

#### X. ADJOURNMENT

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