

AMY H. CANNON
County Manager



RAWLS HOWARD
Director

TRACY JACKSON
Assistant County Manager



Vacant
Deputy Director

◆
Planning & Inspections Department

MINUTES
July 21, 2020

Members Present

Mrs. Diane Wheatley – Chairman
Mr. Stan Crumpler – Vice-Chair
Mr. Carl Manning
Mrs. Jami McLaughlin - Remote
Mr. Jordan Stewart
Ms. Susan Moody
Mr. Gary Burton

Members Absent

Tom Lloyd
Mark Williams
Kassandra Herbert

Others Present

Mrs. Betty Lynd
Mr. Rawls Howard
Mrs. Laverne Howard
Mr. Rick Moorefield

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Chair Wheatley delivered the invocation and led those present in the Pledge of Allegiance.

II. SWEARING IN OF NEW BOARD MEMBERS

Chair Wheatley swore in new board members Gary Burton and Susan Moody.

III. APPROVAL OF / ADJUSTMENTS TO AGENDA

There were no adjustments to the agenda.

Mr. Crumpler made a motion, seconded by Mr. Manning to approve the agenda. Unanimous approval.

IV. PUBLIC HEARING WITHDRAWAL / DEFERRAL

**P20-17. REVISION AND AMENDMENT TO THE HOPE MILLS ZONING ORDINANCE BY AMENDING ARTICLE IV PERMITTED, CONDITIONAL AND SPECIAL USES, SECTION 102A-403. USE MATRIX ALLOWING RECREATION/AMUSEMENT INDOOR (CONDUCTED INSIDE BUILDING FOR PROFIT, NOT OTHERWISE LISTED & NOT REGULATED) AS A PERMITTED USE WITHIN THE M(P) PLANNED INDUSTRIAL DISTRICT BY INSERTING A "P" IN THE M(P) COLUMN AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (HOPE MILLS) STAFF RECOMMENDED DEFERRAL TO AUGUST 18, 2020
PB MEETING**

Ms. Moody made a motion to approve the deferral, seconded by Mr. Manning. Unanimous approval.

V. ABSTENTIONS BY BOARD MEMBERS

Mr. Manning advised the board that he would abstain from voting on Case P20-32.

VI. APPROVAL OF THE MINUTES OF JUNE 16, 2020

Mr. Stewart made a motion, seconded by Mr. Manning to approve the minutes as submitted. Unanimous approval.

VII. CHAIRMAN'S WELCOME AND RULES OF PROCEDURE

Chair Wheatley read the welcome and rules of procedures.

VIII. PUBLIC HEARING CONSENT ITEMS

INITIAL ZONING CASES

- A. **P20-31.** INITIAL ZONING OF 88.36+/- ACRES TO RR RURAL RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF SR 1113 (WALDOS BEACH ROAD) & SALEEBY WAY SUBMITTED BY BILL CLARK HOMES OF FAYETTEVILLE, LLC (OWNER). (HOPE MILLS)

In Case P20-31, the Planning & Inspections staff recommends denial of the initial zoning to RR Rural Residential and instead recommend approval of the initial zoning to RR Rural Residential with CD Conservancy District remaining where the Special Flood Hazard Area (SFHA) and Floodway is located. Staff finds this recommendation consistent with the Southwest Cumberland Land Use Plan (2014) designations of "Low Density Residential", "Suburban Density Residential" and "Open Space". The residential designations allow for a density of two units per acre and prefer public utilities. Approval of the recommendation is reasonable and in the public interest because the recommended zoning is in harmony with surrounding existing zoning and land uses while still providing protection to the creek by leaving the CD zoning where the SFHA and Floodway exist.

In Case P20-31, Ms. Moody made a motion, seconded by Mr. Crumpler to recommend denial of the initial zoning to RR Rural Residential and instead approve the initial zoning to RR Rural Residential with CD Conservancy District remaining where the Special Flood Hazard Area (SFHA) and Floodway is located. Staff finds this recommendation consistent with the Southwest Cumberland Land Use Plan (2014) designations of "Low Density Residential", "Suburban Density Residential" and "Open Space". The residential designations allow for a density of two units per acre and prefer public utilities. Approval of the recommendation is reasonable and in the public interest because the recommended zoning is in harmony with surrounding existing zoning and land uses while still providing protection to the creek by leaving the CD zoning where the SFHA and Floodway exist. Unanimous approval.

- B. **P20-32.** INITIAL ZONING OF 43.92+/- ACRES TO R6 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE NORTH SIDE OF NC 162 (ELK ROAD), NORTH OF EAGLE LANDING DRIVE, SUBMITTED BY RC LAND VENTURES, LLC & WILLIAM F. BEACHT & BOBBIE R. BEACHT (OWNERS). (HOPE MILLS)

In Case P20-32, the Planning & Inspections staff recommends approval of the initial zoning to R6 Residential and finds the request consistent with the Southwest Cumberland Land Use Plan (2014) designation of "Medium Density Residential & Open Space". The "Medium Density Residential" designation allows for a density of greater than six but less than 15 units per acre where public water/sewer is available. Approval of the request is also reasonable and in the public interest as the district requested is in harmony with surrounding existing zoning and land uses and the parcels are served by public water & sewer.

In Case P20-32, Ms. Moody made a motion, seconded by Mr. Crumpler to recommend approval of the initial zoning to R6 Residential and finds the request consistent with the Southwest Cumberland Land Use Plan (2014) designation of "Medium Density Residential & Open Space". The "Medium Density Residential" designation allows for a density of greater than six but less than 15 units per acre where public water/sewer is available. Approval of the request is also reasonable and in the public interest as the district requested is in harmony with surrounding existing zoning and land uses and the parcels are served by public water & sewer. The motion passed with Mr. Manning abstaining from the vote.

REZONING CASES

- C. **P20-22.** REZONING OF 6.28+/- ACRES FROM A1 AGRICULTURAL & CD CONSERVANCY DISTRICT TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 7375 RIVER ROAD, SUBMITTED BY BENJAMIN A. TOWNSEND, JR. (OWNER).

In Case P20-22, the Planning & Inspections staff recommends denial of the rezoning from A1 Agricultural & CD Conservancy District to A1 Agricultural and instead recommend approval of rezoning the property to A1 Agricultural with CD Conservancy District remaining where the Special Flood Hazard Area (SFHA) and Floodway is located. Staff finds this recommendation consistent with the Wade Land Use Plan designation of "1 acre Residential" as the requested district will not increase density past the 1 acre threshold. Staff further finds approval of this recommendation is reasonable and in the public interest because the recommended zoning is in harmony with surrounding existing zoning while still providing protection to the Cape Fear River by leaving the CD zoning where the SFHA and Floodway exist.

In Case P20-22, Ms. Moody made a motion, seconded by Mr. Crumpler to recommend denial of the rezoning from A1 Agricultural & CD Conservancy District to A1 Agricultural and instead recommend approval of rezoning the property to A1 Agricultural with CD Conservancy District remaining where the Special Flood Hazard Area (SFHA) and Floodway is located. Planning Board finds this recommendation consistent with the Wade Land Use Plan designation of "1 acre Residential" as the requested district will not increase density past the 1 acre threshold. Planning Board further finds approval of this recommendation is reasonable and in the public interest because the recommended zoning is in harmony with surrounding existing zoning while still providing protection to the Cape Fear River by leaving the CD zoning where the SFHA and Floodway exist. Unanimous approval.

- D. **P20-25.** REZONING OF 0.99+/- ACRES FROM O&I(P) OFFICE AND INSTITUTIONAL DISTRICT TO R7.5 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5802 ROCKFISH ROAD, SUBMITTED BY FUAD S. ALSAIDI (OWNER) & EDINA M. AMUNDSEN (AGENT). (HOPE MILLS)

In Case P20-25, the Planning & Inspections staff recommends approval of the rezoning from O&I(P) Office and Institutional District to R7.5 Residential and find the request consistent with the Southwest Cumberland Land Use Plan (2014) which designates this parcel as "Low Density Residential". The "Low Density Residential" designation allows for a density of 2.2 to 6 units per acre. Staff further finds approval of the rezoning is reasonable and in the public interest as the district requested is in harmony with the surrounding existing land uses and zoning.

In Case P20-25, Ms. Moody made a motion, seconded by Mr. Crumple to recommend approval of the rezoning from O&I(P) Office and Institutional District to R7.5 Residential and find the request consistent with the Southwest Cumberland Land Use Plan (2014) which designates this parcel as "Low Density Residential". The "Low Density Residential" designation allows for a density of 2.2 to 6 units per acre. Staff further finds approval of the rezoning is reasonable and in the public interest as the district requested is in harmony with the surrounding existing land uses and zoning. Unanimous approval.

- E. **P20-26.** REZONING OF 0.73+/- ACRES FROM O&I OFFICE AND INSTITUTIONAL DISTRICT TO R6 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF ELIZABETH STREET & MOREHEAD STREET, SUBMITTED BY TOWN OF SPRING LAKE (OWNER) & MICHAEL BLAKLEY ON BEHALF OF DRAFTING AND DESIGN SERVICES, INC. (AGENT). (SPRING LAKE)

In Case P20-26, the Planning & Inspections staff recommends approval of the rezoning from O&I Office and Institutional District to R6 Residential and find the request consistent with the Spring Lake Land Use Plan (2002) which designates these parcels as "High Density Residential". The "High Density Residential" designation is encouraged where public facilities are available and affordable housing is promoted. Staff further finds approval of the rezoning is reasonable and in the public interest as the district requested is in harmony with the surrounding existing land uses and zoning while utilizing public utilities.

In Case P20-26, Ms. Moody made a motion, seconded by Mr. Crumpler to recommend approval of the rezoning from O&I Office and Institutional District to R6 Residential and find the request consistent with the Spring Lake Land Use Plan (2002) which designates these parcels as “High Density Residential”. The “High Density Residential” designation is encouraged where public facilities are available and affordable housing is promoted. Planning Board further finds approval of the rezoning is reasonable and in the public interest as the district requested is in harmony with the surrounding existing land uses and zoning while utilizing public utilities. Unanimous approval.

- F. **P20-27. REZONING OF 1.90+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED SOUTH OF SR 2237 (SMITH ROAD), WEST OF BECKENSTEIN DRIVE, SUBMITTED BY VANCE U. TYSON JR. (OWNER) & TIM EVANS ON BEHALF OF LONGLEAF PROPERTIES OF THE SANDHILLS (AGENT).**

In Case P20-27, the Planning and Inspections staff recommends approval of the rezoning from A1 Agricultural to R40 Residential and find: a. The approval is an amendment to the adopted current South Central Land Use Plan (2015) 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 parcel does not meet the minimum criteria for “low density residential” as defined in the Land Use Policies Plan (2009) because the parcel lacks public water and sewer and the requested district is more in line with the desired density of this area; c. And this rezoning approval is reasonable and in the public interest because the district requested is in harmony with surrounding zoning, existing land uses and does meet the plan designation of not allowing additional manufactured homes.

In Case P20-27, Ms. Moody made a motion, seconded by Mr. Crumpler to recommend approval of the rezoning from A1 Agricultural to R40 Residential and find: a. The approval is an amendment to the adopted current South Central Land Use Plan (2015) 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 parcel does not meet the minimum criteria for “low density residential” as defined in the Land Use Policies Plan (2009) because the parcel lacks public water and sewer and the requested district is more in line with the desired density of this area; c. And this rezoning approval is reasonable and in the public interest because the district requested is in harmony with surrounding zoning, existing land uses and does meet the plan designation of not allowing additional manufactured homes. Unanimous approval.

- G. **P20-28. REZONING OF 6.32+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON BOTH SIDES OF SR 2237 (SMITH ROAD), WEST OF BECKENSTEIN DRIVE, SUBMITTED BY VANCE U. TYSON JR. (OWNER) & TIM EVANS ON BEHALF OF LONGLEAF PROPERTIES OF THE SANDHILLS (AGENT).**

In Case P20-28, the Planning and Inspections staff recommends approval of the rezoning from A1 Agricultural to R40 Residential and find: a. The approval is an amendment to the adopted current South Central Land Use Plan (2015) 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 parcels do not meet the minimum criteria for “low density residential” as defined in the Land Use Policies Plan (2009) because the parcels lack public water and sewer and the requested district is more in line with the desired density of this area; c. And this rezoning approval is reasonable in the public interest because the district requested is in harmony with surrounding zoning, existing land uses and does meet the plan designation of not allowing additional manufactured homes.

In Case P20-28, Ms. Moody made a motion, seconded by Mr. Crumpler to recommend approval of the rezoning from A1 Agricultural to R40 Residential and find: a. The approval is an amendment to the adopted current South Central Land Use Plan (2015) 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 parcels do not meet the minimum criteria for “low density residential” as defined in the Land Use Policies Plan (2009) because the parcels lack

public water and sewer and the requested district is more in line with the desired density of this area; c. And this rezoning approval is reasonable in the public interest because the district requested is in harmony with surrounding zoning, existing land uses and does meet the plan designation of not allowing additional manufactured homes. Unanimous approval.

- H. **P20-33.** REZONING OF 2.00+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON WEST SIDE OF SR 2233 (BUTLER NURSERY ROAD), NORTH OF SR 2224 (NASH ROAD), SUBMITTED BY KYLE DIXON (OWNER) & TIM EVANS ON BEHALF OF LONGLEAF PROPERTIES OF THE SANDHILLS (AGENT).

In Case P20-33, the Planning & Inspections staff recommends approval of the rezoning request from A1 Agricultural to R40 Residential and finds the request consistent with the South Central Land Use Plan (2015) which designates this parcel for "Farmland". The "Farmland" designation allows for a density of one unit per acre on tracts less than 10 acres with favorable soils and desires only stick-built homes. Approval of the rezoning is also reasonable and in the public interest as the requested district is in harmony with surrounding existing land uses and zoning.

In Case P20-33, Ms. Moody made a motion, seconded by Mr. Crumpler to recommend approval of the rezoning request from A1 Agricultural to R40 Residential and finds the request consistent with the South Central Land Use Plan (2015) which designates this parcel for "Farmland". The "Farmland" designation allows for a density of one unit per acre on tracts less than 10 acres with favorable soils and desires only stick-built homes. Approval of the rezoning is also reasonable and in the public interest as the requested district is in harmony with surrounding existing land uses and zoning. Unanimous approval.

- I. **P20-34.** REZONING OF 2.92+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT THE NORTHEAST QUADRANT OF THE INTERSECTION OF NC HWY 87 S & SR 2235 (GRAYS CREEK CHURCH ROAD), SUBMITTED BY VANCE U. TYSON JR. (OWNER) & TIM EVANS ON BEHALF OF LONGLEAF PROPERTIES OF THE SANDHILLS (AGENT).

In Case P20-34, the Planning & Inspections staff recommends approval of the rezoning request from A1 Agricultural to R40 Residential and finds the request consistent with the South Central Land Use Plan (2015) which designates this parcel for "Farmland". The "Farmland" designation allows for a density of one unit per acre on tracts less than 10 acres with favorable soils and desires only stick-built homes. Approval of the rezoning is also reasonable and in the public interest as the requested district is in harmony with surrounding existing land uses and zoning.

In Case P20-34, Ms. Moody made a motion, seconded by Mr. Crumpler to recommend approval of the rezoning request from A1 Agricultural to R40 Residential and finds the request consistent with the South Central Land Use Plan (2015) which designates this parcel for "Farmland". The "Farmland" designation allows for a density of one unit per acre on tracts less than 10 acres with favorable soils and desires only stick-built homes. Approval of the rezoning is also reasonable and in the public interest as the requested district is in harmony with surrounding existing land uses and zoning. Unanimous approval.

- J. **P20-35.** REZONING OF 1.15+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3439 WADE STEDMAN ROAD, SUBMITTED BY SARAH ROYAL GIBBS (OWNER) & WILLIAM B. SNIVELY, PLS (AGENT).

In Case P20-35, the Planning & Inspections staff recommends approval of the rezoning request from A1 Agricultural to R40 Residential and find the request consistent with the Eastover Land Use Plan (2018) which designates this parcel as "Rural Density Residential". The "Rural Density Residential" designation desires a density of 1 to 2.2 units per acre. Approval of the request is also reasonable and in the public interest as the district requested is in harmony with existing land uses in the surrounding area.

In Case P20-35, Ms. Moody made a motion, seconded by Mr. Crumpler to recommend approval of the rezoning request from A1 Agricultural to R40 Residential and find the request consistent with the Eastover Land Use Plan (2018) which designates this parcel as "Rural Density Residential". The

“Rural Density Residential” designation desires a density of 1 to 2.2 units per acre. Approval of the request is also reasonable and in the public interest as the district requested is in harmony with existing land uses in the surrounding area. Unanimous approval.

- K. **P20-36.** REZONING OF 1.00+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 1705 ROCK HILL ROAD, SUBMITTED BY JAMES MCNEILL WILLIAMS (OWNER) & WILLIAM B. SNIVELY, PLS (AGENT). (EASTOVER)

In Case P20-36, the Planning & Inspections staff recommends approval of the rezoning request from A1 Agricultural to R40 Residential and find the request consistent with the Eastover Land Use Plan (2018) which designates this parcel for “Rural Density Residential”. The “Rural Density Residential” designation has a desired density of 1 to 2.2 units per acre. Approval of the request is also reasonable and in the public interest as the district requested is in harmony with surrounding zoning and existing land uses.

In Case P20-36, Ms. Moody made a motion, seconded by Mr. Crumpler to recommend approval of the rezoning request from A1 Agricultural to R40 Residential and find the request consistent with the Eastover Land Use Plan (2018) which designates this parcel for “Rural Density Residential”. The “Rural Density Residential” designation has a desired density of 1 to 2.2 units per acre. Approval of the request is also reasonable and in the public interest as the district requested is in harmony with surrounding zoning and existing land uses. Unanimous approval.

IX. PUBLIC HEARING CONTESTED ITEMS

CONDITIONAL ZONING CASE

- L. **P20-37.** REZONING OF 7.05+/- ACRES FROM A1 AGRICULTURAL TO C2(P) PLANNED SERVICE AND RETAIL DISTRICT/CZ CONDITIONAL ZONING FOR REQUESTED C2(P) USES OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE NORTH SIDE OF SR 2242 (BRAXTON ROAD), WEST OF ROSSENDALE DRIVE, SUBMITTED BY ROSS L. GREEN (OWNER).

Mrs. Lynd presented the case information and photos.

In Case P20-37, the Planning & Inspections staff recommends denial of the rezoning request from A1 Agricultural to C2(P) Planned Services and Retail District/CZ Conditional Zoning for requested C2(P) uses and find the request not consistent with the South Central Land Use Plan (2015) which designates this parcel for “Low Density Residential”. The “Low Density Residential” designation desires residential uses at a density of 2.2 to 6 units per acre that the requested district will not allow. Denial of the request is also reasonable and in the public interest as the district requested is not in harmony with surrounding zoning and existing land uses and will promote an encroachment of commercial activity in a primarily residential area.

Public comment period opened.

Mrs. Lynd read statements that were submitted via the Planning & Inspections website. See attachments.

Mr. Crumpler asked the distance from the nearest commercial property.

Mrs. Lynd pointed out the surrounding zoning on the map for Mr. Crumpler, and of the surrounding zoning there was no commercial.

Chair Wheatley asked if the contaminated water and soils were close to the subject property.

Mrs. Lynd said that this development would be on PWC water and sewer.

Chair Wheatley said they need to know about the contamination issue in the area and how far it has gone.

Mr. Howard said that they could contact the State and see what kind of information they could get. Right now it's kind of nebulous and it's kind of hard to tell where the boundaries of that are, but we will check on it.

Chair Wheatley asked how many of the items in the plan could be done in A1.

Mrs. Lynd said that the one thing that was not allowed was the water park, outdoor recreation for profit is not allowed until you get to commercial areas. That is when he started looking into commercial. He stated in his comments that he would be okay with going with only the uses shown on the site plan.

Chair Wheatley stated that staff recommended denial.

Mrs. Lynd said yes, due to its noncompliance with the plan and the additional uses of the use matrix that he wanted to leave open.

Mr. Crumpler asked if the applicant could do what he wanted to do in another zoning.

Mrs. Lynd said there were other options that were presented to the applicant.

In Case P20-37, Chair Wheatley made a motion, seconded by Mr. Crumpler to recommend denial of the rezoning request from A1 Agricultural to C2(P) Planned Services and Retail District/CZ Conditional Zoning for requested C2(P) uses and find the request not consistent with the South Central Land Use Plan (2015) which designates this parcel for "Low Density Residential". The "Low Density Residential" designation desires residential uses at a density of 2.2 to 6 units per acre that the requested district will not allow. Denial of the request is also reasonable and in the public interest as the district requested is not in harmony with surrounding zoning and existing land uses and will promote an encroachment of commercial activity in a primarily residential area. Unanimous approval.

- M. **P20-24.** REZONING OF 13.35+/- ACRES FROM RR RURAL RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF NC HWY 87 S & SR 2220 (TOM STARLING ROAD), SUBMITTED BY REBECCA F. PERSON ON BEHALF OF FRANCIS N. PERSON HEIRS & SUSAN P. STRICKLAND (OWNERS) & YARBOROUGH, WINTERS & NEVILLE, PA (AGENT).

Mrs. Lynd presented the case information and photos.

In Case P20-24, the Planning & Inspections staff recommends denial of the request to rezone from RR Rural Residential to C(P) Planned Commercial and instead recommend approval of the rezoning from RR Rural Residential to C2(P) Planned Service and Retail District and find this recommendation consistent with the South Central Land Use Plan (2015) which designates these parcels as "Light Commercial". The C2(P) district is designated as light commercial in the Land Use Policies Plan (2009). Staff further finds the recommendation of C2(P) to be reasonable and in the public interest as it limits some heavier commercial uses that may be seen as unsuitable for the area while providing convenient needs and services to the immediate neighborhoods at a larger and heavily trafficked intersection.

Public comment period opened.

Mrs. Lynd read statements that were submitted via the Planning & Inspections website. See attachments.

Mr. Howard said that when staff looked at this, they looked at the plan that called for light commercial. They are not against a commercial designation but are concerned about the intensity and type of commercial that would go there. The applicant was offered the option of conditional zoning.

Mrs. Lynd stated that they were offered the option, they did indicate on their application that their desired uses were restaurants, retail, and mini warehousing which would all be allowed in the C2(P) district except for the outdoor storage. The applicant has still requested C(P) for the outdoor storage component.

Mr. Howard said he thought they were almost there with the applicant; the issue was the outdoor storage. Mr. Howard stated that he just wanted the board to know that they did have conversations with the applicant.

Mr. Crumpler asked if outdoor storage could be done under A1.

Mrs. Lynd said the applicant's issue was that if it is the A1 district, it wouldn't allow the restaurant and retail that they wanted.

Public comment period closed.

Mr. Manning said that conditional zoning is probably the best zoning for this applicant and feels that there should be more conversation with the applicant.

Mr. Crumpler said that he does not see a whole lot of reason to deny the request because right across the street there already is one. Can understand conditional zoning if the concern is the outdoor storage with a storage facility there, but we could put conditions that there would need to be a buffer. But there is already a C(P) right across the street.

Mrs. Lynd said the applicant would need to resubmit so we could place those conditions.

In Case P20-24, Mr. Manning made a motion, seconded by Ms. Moody to defer the case to the September 15, 2020 meeting to give the applicant a chance to come back with a site plan and conditional zoning. Unanimous approval.

- N. **P20-29.** REZONING OF 7.14+/- ACRES FROM R5A RESIDENTIAL TO R6A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED SOUTH OF SR 1003 (CAMDEN ROAD) & NORTH OF SR 1112 (ROCKFISH ROAD), EAST OF THE INTERSECTION OF CAMDEN ROAD & ROCKFISH ROAD SUBMITTED BY ELLIS E. EHLE, JR. (HOPE MILLS)

Mrs. Lynd presented the case information and photos.

In Case P20-29, the Planning and Inspections staff recommends denial of the request to rezone from R5A Residential to R6A Residential and find this request not to be consistent with the Southwest Cumberland Land Use Plan (2014) designation of "Mixed Use Development". The "Mixed Use Development" designation allows a mixture of residential, office and institutional uses, however mixed-use designated areas do not include manufactured home parks. Denial of the request is also reasonable and in the public interest as the area is in transition from residential to non-residential, and Camden Road is scheduled to be widened which would affect the conformity of the existing manufactured home park.

Mrs. Lynd explained that the property was initially zoned R5A when Hope Mills annexed it. The property owner wants to replace some manufactured homes that were pulled off more than a year ago, but because the property was nonconforming, he cannot replace those without bringing the park into zoning conformity.

Mr. Crumpler asked what made the applicant nonconforming.

Mrs. Lynd replied the zoning district, R5A does not allow manufactured home parks, so essentially Hope Mills initially zoned him in 1979 and made the park nonconforming.

Public comment period opened.

Mrs. Lynd read statements that were submitted via the Planning & Inspections website. See attachments.

Public comment period closed.

Chair Wheatley asked if the mobile home park was a forty-one-home capacity.

Mrs. Lynd said that was hard to verify because when manufactured home parks were developed, they were reviewed by Environmental Health and not the Planning Department so there are no previous site plan reviews on this case.

Mr. Chancer McLaughlin, Planning & Economic Development Director for the Town of Hope Mills, stated that after review of the applicants request and realizing that R5A doesn't allow it and the only remedy that he has available to him is to seek R6A zoning. It is unfortunate that this is the way the situation has turned out and would have to agree with County planning. The only option the applicant has is to request the rezoning.

In Case P20-29, Mr. Stewart made a motion, seconded by Mr. Crumpler to recommend approval of the rezoning from R5A Residential to R6A Residential 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 developed manufactured home park has been in existence since at least 1971 and the requested district will allow the manufactured home park to be a conforming use once again. c. And this rezoning approval is reasonable and in the public interest because the district requested is in harmony with adjacent existing zoning and land uses. The motion passed with Mr. Manning voting in opposition.

- O. **P20-30. REZONING OF 44.23+/- ACRES FROM M(P) PLANNED INDUSTRIAL TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON WEST SIDE OF SR 2337 (WILMINGTON HWY), SOUTH OF SR 2210 (WILKES ROAD), SUBMITTED BY WARREN & DAWN BISHOP (OWNERS) & PATRICK BISHOP (AGENT).**

Mrs. Lynd presented the case information and photos.

In Case P20-30, the Planning and Inspections staff recommends denial of the request to rezone from M(P) Planned Industrial to A1 Agricultural and find the request not consistent with the South Central Land Use Plan (2015) designation of "Airport Oriented Uses" and "Open Space". The "Airport Oriented Uses" is meant to protect the Airport from unwanted encroachment and allow for further expansion. Uses in the area must also be compatible with the Airport's operation. Denial of the request is also reasonable and in the public interest as the area is overwhelmingly non-residential and it would prevent a loss of industrial land for future development.

Mr. Stewart asked if the applicant said what the property was going to be used for.

Mrs. Lynd said the applicant wants to put a residence there.

Mr. Howard said that in his discussions with the Executive Director of the FCEDC the impression was that as an organization, they did not want to come across as keeping someone from building a home on their property. The concern was a conventional district that can allow anything to go there including a large subdivision, it goes back to another discussion to have a conditional request, limiting it to maybe one or two homes on the site.

Public comment period opened.

Mrs. Lynd read statements that were submitted via the Planning & Inspections website. See attachments.

Mr. Howard reminded the board about the concern of homes in the area in prior rezoning hearings regarding residential around the airport.

Mr. Manning said there is no zoning that would restrict additional homes being built out there.

Mrs. Lynd said that was correct.

Public comment period closed.

In Case P20-30, Mr. Crumpler made a motion, seconded by Mr. Stewart to defer the case to the September 15, 2020 Planning Board meeting, to give the applicant a chance to work on a conditional zoning application. Unanimous approval.

X. DISCUSSION

- DIRECTOR'S UPDATE
 - Mr. Howard advised the Board of online training modules that were available through the School of Government that we could start training.
 - Mr. Howard announced that a new Deputy Director had been hired and would be starting August 3, 2020.
 - Chair Wheatley asked board members to let us know who would be interested in doing the invocation, to be put on the prayer rotation list for future meetings.

XI. ADJOURNMENT

There being no further business, the meeting adjourned at 7:41 pm.