

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Charles C. Morris,
Town of Linden



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Lori Epler,
Sara E. Piland,
Vikki Andrews,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

MINUTES

April 16, 2013

Members Present

Mr. Walter Clark, Chair
Ms. Patricia Hall, Vice Chair
Mrs. Sara Piland
Mrs. Lori Epler
Ms. Vikki Andrews
Mr. Donovan McLaurin
Mr. Harvey Cain, Jr.
Mr. Garland Hostetter
Mr. Benny Pearce
Mr. Charles Morris

Members Absent

None

Others Present

Mr. Thomas Lloyd
Ms. Patricia Speicher
Ms. Donna McFayden
Ms. Melodie Robinson
Mr. Rick Moorefield,
County Attorney

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Andrews delivered the invocation and led those present in the Pledge of Allegiance.

II. APPROVAL OF / ADJUSTMENTS TO AGENDA

Mr. McLaurin made a motion, seconded by Mrs. Epler to approve the agenda. Unanimous approval.

III. PUBLIC HEARING WITHDRAWAL / DEFERRAL

There were none.

IV. ABSTENTIONS BY BOARD MEMBERS

There were none.

V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

Mr. Lloyd read the policy statement.

VI. APPROVAL OF THE MINUTES OF MARCH 19, 2013

Mrs. Hall made a motion to accept the minutes as submitted, seconded by Ms. Andrews. Unanimous approval.

VII. PUBLIC HEARING CONSENT ITEMS

TEXT AMENDMENT

- A. P13-15.** REVISION AND AMENDMENT TO ARTICLE IV PERMITTED, CONDITIONAL AND SPECIAL USES, AS ADOPTED BY THE TOWN OF EASTOVER ON NOVEMBER 6, 2012 AND APPLICABLE ONLY TO PROPERTIES WITHIN THE CORPORATE LIMITS OF THE TOWN, AMENDING SECTION 403 USE MATRIX BY INSERTING IN ALPHABETICAL ORDER *ZERO LOT LINE DEVELOPMENT* IN THE LAND USE COLUMN AND REQUIRING APPROVAL OF ALL ZERO LOT LINE DEVELOPMENTS AS CONDITIONAL ZONING INDICATED BY INSERTING A "Z" IN EACH OF THE ZONING CLASSIFICATIONS COLUMNS TO BE IMPLEMENTED WITHIN THE TOWN AS A SUPPLEMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE PROVISIONS UNTIL SUCH TIME THAT THE TOWN ADOPTS A COMPLETE EASTOVER ZONING ORDINANCE. (EASTOVER)

The Planning and Inspections Staff recommends approval of the proposed zero lot line text amendment as a supplement to the County Zoning Ordinance for the Town of Eastover based on the following:

1. If approved, the amendment will require all proposed zero lot line development plans to be submitted with a rezoning application affording the opportunity for the town council to ensure that the rural character of the area is retained, which is the stated primary goal of the Eastover Area Detailed Land Use Plan;
2. Since incorporation, the town council's vision has been to ensure growth is consistent with the community values that include preserving the rural character, protecting existing trees where possible, and development patterns that provide mostly one to three acre single family lots – the amendment requires the developer to address these values through the rezoning application process ; and
3. The amendment was requested by the town.

The Town Manager has reviewed and is in agreement with the proposed text amendment.

Mr. McLaurin made a motion, to recommend the adoption and approval of the Text Amendment as submitted by the Planning & Inspections staff, seconded by Mr. Pearce. The motion passed with a unanimous vote.

REZONING CASES

- B. P13-08.** REZONING OF 2.99+/- ACRES FROM M(P)/CU PLANNED INDUSTRIAL/CONDITIONAL USE OVERLAY FOR MANUFACTURED HOME SALES AND M(P) PLANNED INDUSTRIAL TO M(P) PLANNED INDUSTRIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 2965 GILLESPIE STREET, AND ON THE EAST SIDE OF SR 2273 (GILLESPIE STREET), SOUTHWEST OF SR 2260 (AIRPORT ROAD); SUBMITTED BY STEPHEN D. WHEELER AND CARLA M. EMMONS ON BEHALF OF EMMONS & WHEELER LLC., AND JOHN M. TYSON ON BEHALF OF CEDAR CREEK CROSSING WEST LLC. (OWNERS).

The Planning and Inspections Staff recommends approval of the M(P) Planned Industrial district for this request based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for "urban" at this location, as well as meeting the location criteria for "heavy industrial/manufacturing" as listed in the Land Use Policies Plan;

2. Approval of the requested district will clear extraneous zoning lines as well as remove the conditional use overlay district as manufactured home sales are now a permitted use in the M(P) district;
3. The location and character of the use is reasonable and will be in harmony with the surrounding area; and
4. Public utilities are available to the subject property.

There are no other districts considered suitable for this request.

Mr. McLaurin made a motion to recommend the adoption and approval of the consistency and reasonableness statements and to approve M(P) Planned Industrial, seconded by Mr. Pearce. The motion passed with a unanimous vote.

- C. P13-09.** REZONING OF 3.66+/- ACRES FROM A1 AGRICULTURAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 5208 NC HWY 87 SOUTH AND ON THE WEST SIDE OF NC HWY 87 SOUTH, SOUTH OF SR 2238 (SAND HILL ROAD); SUBMITTED BY BETTY B. WALTERS (OWNER) AND UTA BELLETETE.

The Planning and Inspections Staff recommends approval of the C(P) Planned Commercial district for this request based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for “urban” at this location, as well as meeting the location criteria for “heavy commercial” development as listed in the Land Use Policies Plan;
2. The C(P) Planned Commercial district is consistent with the zoning for adjacent property and the request for commercial zoning is a logical extension of the C(P) district;
3. The location and character of the district is reasonable and will be in harmony with the immediate surrounding area; and
4. Public utilities are available to the subject property.

The C1(P) and C2(P) districts could also be considered suitable for this request.

By consensus, the staff agreed that it would be appropriate to restrict any future consideration of requests for non-residential zoning districts to the properties south of the subject property at the hydric soils line.

Mr. McLaurin made a motion to recommend the adoption and approval of the consistency and reasonableness statements and to approve C(P) Planned Commercial district, seconded by Mr. Pearce. The motion passed with a unanimous vote.

CONDITIONAL ZONING DISTRICT

- D. P13-11.** REZONING OF 5.38+/- ACRES FROM C3/CU HEAVY COMMERCIAL/CONDITIONAL USE OVERLAY FOR OUTSIDE STORAGE, RR/CU RURAL RESIDENTIAL/CONDITIONAL USE OVERLAY FOR OUTSIDE STORAGE AND RR RURAL RESIDENTIAL TO C(P)/CZ PLANNED COMMERCIAL/CONDITIONAL ZONING DISTRICT FOR MOTOR VEHICLE REPAIR AND OUTSIDE STORAGE OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3427 CLINTON ROAD, SUBMITTED BY STEPHEN H. LEDWELL TRUSTEE (OWNER) AND ANDY NICHOLS.

The Planning & Inspections Staff recommends approval of the requested rezoning to C(P) Planned Commercial /CZ Conditional Zoning district for motor vehicle repair and outside storage based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for “urban fringe” at this location, as well as meeting most of the location criteria for “heavy commercial” development as listed in the Land Use Policies Plan;
2. Connection to public sewer is the location criteria not met; however, approval of the requested uses would be consistent with the 2030 Growth Vision Plan by promoting the re-development of a commercial area as the subject property contains an approved commercial structure with the added use of outside storage; and
3. The location and character of the use, if developed according to the plan as submitted and the recommended Ordinance Related Conditions, are reasonable as they will be in harmony with the area in which they are to be located.

There are no other zoning districts suitable as related to this request. The applicant has verbally agreed to all Ordinance Related Conditions.

Mr. McLaurin made a motion to recommend the adoption and approval of the consistency and reasonableness statements and to approve C(P) Planned Commercial/CZ Conditional Zoning district for motor vehicle repair and outside storage, seconded by Mr. Pearce. The motion passed with a unanimous vote.

VIII. PUBLIC HEARING CONTESTED ITEMS

There were none.

IX. DISCUSSION

DIRECTOR'S UPDATE

- GREEN TOOLBOX

Mr. Lloyd stated a Fish & Wildlife representative will give a 20 minute presentation on developing preserved species at one of the board meetings.

- WORK PROGRAM

Mr. Lloyd stated the county's work program is underway and he would be contacting town managers for input.

- ANNEXATION OF INDUSTRIAL PARK

Mr. Lloyd commented on the annexation of Industrial Park.

X. ADJOURNMENT

There being no further business, the meeting adjourned at 7:30 p.m.