

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



Thomas J. Lloyd,  
Director

Cecil P. Combs,  
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**  
June 19, 2018

**Members Present**

Mr. Charles Morris, Chair  
Mrs. Jamie McLaughlin  
Mrs. Lori Epler  
Mr. Harvey Cain, Jr.  
Mr. Stan Crumpler  
Ms. Patricia Hall  
Dr. Vikki Andrews

**Members Absent**

Mrs. Diane Wheatley  
Mr. Carl Manning

**Others Present**

Mr. Thomas Lloyd  
Ms. Annie Melvin  
Ms. Patricia Speicher  
Mr. Rob Hasty,  
Assistant County Attorney  
Mrs. Jennifer Oppenlander  
Mrs. Jaimie Walters  
Mr. Aaron Barnes  
Mrs. Laverne Howard

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Mrs. Epler delivered the invocation and Mr. Cain led those present in the Pledge of Allegiance.

II. APPROVAL OF / ADJUSTMENTS TO AGENDA

There were no adjustments to the agenda.

**Mrs. Epler made a motion, seconded by Dr. Andrews to approve the adjustments to 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 P18-22.

V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

The policy statement was not needed.

VI. APPROVAL OF THE MINUTES OF MAY 15, 2018

**Ms. Hall made a motion, seconded by Mrs. Epler to approve the minutes as submitted. Unanimous approval.**

VII. PUBLIC HEARING CONSENT ITEMS

REZONING CASES

- A. **P18-22.** REZONING OF 2.55+/- ACRES FROM R5A RESIDENTIAL TO M1(P) PLANNED LIGHT INDUSTRIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON SOUTH SIDE OF WATERCLIFF DRIVE, WEST OF NC HWY 210 (LILLINGTON HWY);

SUBMITTED BY RALPH HUFF ON BEHALF OF HUFF-CAVINESS LLC (OWNER). (SPRING LAKE)

In Case P18-22, the Planning and Inspections Staff recommends approval of the rezoning from R5A Residential to M1(P) Planned Light Industrial and find it is consistent with the adopted Spring Lake Land Use Plan which calls for "light industrial" at this location, and further find that approval of the request is reasonable and in the public interest because the district requested accommodates administrative offices, flex offices, limited institutional and heavy commercial uses while restricting heavy industrial uses.

**In Case P18-22, Mr. Crumpler made a motion, seconded by Mrs. McLaughlin to approve the rezoning from R5A Residential to M1(P) Planned Light Industrial and find it is consistent with the adopted Spring Lake Land Use Plan which calls for "light industrial" at this location, and further find that approval of the request is reasonable and in the public interest because the district requested accommodates administrative offices, flex offices, limited institutional and heavy commercial uses while restricting heavy industrial uses. Unanimous approval, with Mrs. Epler abstaining from the vote.**

- B. **P18-24.** REZONING OF 1.20+/- ACRES FROM RR RURAL RESIDENTIAL & C1(P) PLANNED LOCAL BUSINESS DISTRICT TO C2(P) PLANNED SERVICE AND RETAIL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 7163 ROCKFISH ROAD; SUBMITTED BY ABY VARGHESE ON BEHALF OF PETROMART, LLC (OWNER).

In Case P18-24, the Planning and Inspections Staff recommends approval of the rezoning from RR Rural Residential & C1(P) Planned Local Business District to C2(P) Planned Service and Retail District 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 parcel is currently zoned a non-residential district and approval of the request will limit future heavy commercial along the south side of Rockfish Road toward the existing residential area;
- c. And, this rezoning approval is reasonable and in the public interest because the subject property is located in an area that is in transition from residential to commercial.

**In Case P18-24, Mr. Crumpler made a motion, seconded by Mrs. McLaughlin to approve the rezoning from RR Rural Residential & C1(P) Planned Local Business District to C2(P) Planned Service and Retail District 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 parcel is currently zoned a non-residential district and approval of the request will limit future heavy commercial along the south side of Rockfish Road toward the existing residential area; c. And, this rezoning approval is reasonable and in the public interest because the subject property is located in an area that is in transition from residential to commercial. Unanimous approval.**

#### CONDITIONAL USE OVERLAY REVOCATION

- C. **P98-06.** REVOCATION OF A CONDITIONAL USE OVERLAY FOR A MANUFACTURED HOME IN A C(P) PLANNED COMMERCIAL DISTRICT ON .50+/- ACRE, LOCATED AT 3176 WHITMAN ROAD, SUBMITTED BY LAWRENCE S. GLINDEMAN (OWNER) & KYLE L. BOZARD (AGENT).

In Case P98-06, the Planning and Inspections Staff recommends approval of the rezoning to revoke the Conditional Use Overlay for a manufactured home at the property owner's request and find the South Central Land Use Plan has been examined and does not address this particular situation; and further find approval of the request is reasonable and in the public interest because Conditional Use Overlays were approved prior to 2005 in order to allow land uses that were not

permitted in the current zoning district in exceptional situations, later deemed as an improper use of zoning, and that the manufactured home is not currently located on the subject property.

**In Case P98-06, Mr. Crumpler made a motion, seconded by Mrs. McLaughlin to approve the rezoning to revoke the Conditional Use Overlay for a manufactured home at the property owner's request and find the South Central Land Use Plan has been examined and does not address this particular situation; and further find approval of the request is reasonable and in the public interest because Conditional Use Overlays were approved prior to 2005 in order to allow land uses that were not permitted in the current zoning district in exceptional situations, later deemed as an improper use of zoning, and that the manufactured home is not currently located on the subject property. Unanimous approval.**

#### CONDITIONAL ZONING DISTRICT

- D. **P18-21.** REZONING OF 10.08+/- ACRES FROM R7.5 RESIDENTIAL/CZ CONDITIONAL ZONING FOR NON-PROFIT RECREATION CENTER & OTHER SPECIFIC REQUESTED ALLOWED USES TO RR RURAL RESIDENTIAL/CZ CONDITIONAL ZONING FOR INDOOR RECREATION FOR PROFIT & OTHER SPECIFIC REQUESTED ALLOWED USES OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 4221 BLACK BRIDGE ROAD, SUBMITTED BY THURSTON AND CHARLOTTE ROBINSON (OWNERS). (HOPE MILLS & COUNTY)

In Case P18-21, the Planning and Inspections Staff recommends approval of the rezoning from R7.5 Residential/CZ Conditional Zoning for a non-profit recreation center & other specific allowed uses to RR Rural Residential/CZ Conditional Zoning for indoor recreation for profit & other specific allowed uses 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 requested district is consistent with the "suburban residential" designation by the Southwest Cumberland Land Use Plan and the non-profit recreation center was approved in 2011 prior to the adoption of the Southwest Cumberland Land Use Plan;
- c. And, this rezoning approval is reasonable and in the public interest because the use will provide a valuable alternative source of organized recreation for the citizens in the surrounding community.

**In Case P18-21, Mr. Crumpler made a motion, seconded by Mrs. McLaughlin to approve the rezoning from R7.5 Residential/CZ Conditional Zoning for a non-profit recreation center & other specific allowed uses to RR Rural Residential/CZ Conditional Zoning for indoor recreation for profit & other specific allowed uses 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 requested district is consistent with the "suburban residential" designation by the Southwest Cumberland Land Use Plan and the non-profit recreation center was approved in 2011 prior to the adoption of the Southwest Cumberland Land Use Plan; c. And, this rezoning approval is reasonable and in the public interest because the use will provide a valuable alternative source of organized recreation for the citizens in the surrounding community. Unanimous approval.**

- E. **P18-25.** REZONING OF 1.29+/- ACRES FROM RR RURAL RESIDENTIAL/CUD CONDITIONAL USE DISTRICT FOR MANUFACTURED HOMES & C(P) PLANNED COMMERCIAL/CUD CONDITIONAL USE DISTRICT FOR TRADE CONTRACTOR ACTIVITIES WITH OUTSIDE STORAGE OF EQUIPMENT TO RR RURAL RESIDENTIAL/CZ CONDITIONAL ZONING FOR A MANUFACTURED HOME & C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING FOR TRADE CONTRACTOR ACTIVITIES WITH OUTSIDE STORAGE OF EQUIPMENT AND MOTOR VEHICLE REPAIR AND/OR BODY WORK OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5449 NC HWY 210 SOUTH, SUBMITTED BY STEPHANIE NAYLOR (OWNER) &

EDDIE NAYLOR (AGENT).

In Case P18-25, the Planning and Inspections Staff recommends approval of the rezoning from RR Residential/CUD Conditional Use District for a “stick built” home and manufactured home & C(P) Planned Commercial/CUD Conditional Use District for trade contracting with storage of equipment to RR Rural Residential/CZ Conditional Zoning for a “stick built” home and manufactured home & C(P) Planned Commercial/CZ Conditional Zoning for trade contracting with storage of equipment and motor vehicle repair with towing and find:

- a. The approval is an amendment to the adopted current 2030 Growth Vision Plan (2009) 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: although the districts requested are not entirely consistent with the “rural areas” designation, the uses requested are compatible with the permitted uses allowed in the surrounding zoning districts;
- c. And, this rezoning approval is reasonable and in the public interest because the district requested is in harmony with similar approvals in the general area and the 2008 approval of the current zoning of the subject property.

**In Case P18-25, Mr. Crumpler made a motion, seconded by Mrs. McLaughlin to approve the rezoning from RR Residential/CUD Conditional Use District for a “stick built” home and manufactured home & C(P) Planned Commercial/CUD Conditional Use District for trade contracting with storage of equipment to RR Rural Residential/CZ Conditional Zoning for a “stick built” home and manufactured home & C(P) Planned Commercial/CZ Conditional Zoning for trade contracting with storage of equipment and motor vehicle repair with towing and find: a. The approval is an amendment to the adopted current 2030 Growth Vision Plan (2009) 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: although the districts requested are not entirely consistent with the “rural areas” designation, the uses requested are compatible with the permitted uses allowed in the surrounding zoning districts; c. And, this rezoning approval is reasonable and in the public interest because the district requested is in harmony with similar approvals in the general area and the 2008 approval of the current zoning of the subject property. Unanimous approval.**

## VIII. PUBLIC HEARING ITEM

### CUMBERLAND ROAD BUSINESS STREET PLAN

At the December 18, 2017 County Commissioners Meeting the Commissioners indicated they would like to see the portion of Cumberland Road from Owen Drive to Hope Mills Road reviewed for zoning consistency. It was determined that a study should be performed by Planning Department Staff. The Planning staff has completed the study and is requesting the Planning Board review and recommend approval including any recommended changes and forward to the Board of Commissioners for adoption.

Mr. Lloyd presented the results and recommendations of the study. The study area consisted of the area between Cumberland Road from Owen Drive to Hope Mills Road. Staff also looked at setbacks conformity and whether lots are large enough to rezone without having to go zero lot line. We also looked at adjacent landowner and recombination of lots, curb cuts, rezoning cases, vacant lots, sewer approximations, and possible violations.

Joe Glass with PWC came forward and explained what PWC (Public Works Commission) would do and how PWC could extend sewer. Mr. Glass reminded the Board that you needed to have enough space for a septic system and the repair area for the septic system.

Mrs. Epler stated that when properties are combined and you have a larger development and your in one of those areas where sewer is not available and PWC can't provide it by gravity, and you combine properties and you have a larger development it's a little more economically feasible for a developer to put in a lift station and

get it to the sewer and if that happens in that area the extension of sewer down the road and makes it available for other properties, that's why the committee thought it was a big thing to encourage the recombination of those lots.

Mrs. Epler asked Mr. Glass if somebody comes in and recombines those lots that were on the north side of the map and they decide to put in a lift station is PWC going to require them to accommodate just their development or will PWC participate to have the capacity to help the other properties join in on that?

Mr. Glass stated that if the flow is not equivalent to seventy-five to one hundred homes, it's not economical for PWC to take ownership of the lift station, so it would be a private lift station. If it's private and you pump down the Department of Transportation right-of-way they're not going to let you. A public entity has got to own that forced main that is going down the right-of-way.

Mrs. Epler said even though we know this corridor is lending itself to commercial development and it may be to PWC's and the property owners advantage, but it's hard for me to fathom that you wouldn't try to open it up with the help of developers.

Mr. Glass said when an engineer comes to PWC proposing a lift station we look to make it a regional lift station, so we would hope to site a regional lift station that could serve all of that, but as you can see it can all be served by gravity it's just the dollars. A lift station of any size is going to cost a half to three quarters of a million dollars if it's built to PWC standards with back up generation and all of that. Mr. Glass said that he could not commit to PWC contributing financially or participating in the project, but they are open to discussion about it.

**Mrs. Epler made a motion, seconded by Mr. Cain to recommend approval of the Cumberland Road Business Street Plan and forward to the Board of Commissioners. Unanimous approval.**

#### IX. DISCUSSION

There was none.

#### IX. ADJOURNMENT

There being no further business, the meeting adjourned at 7:28 pm.