

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



COUNTY of CUMBERLAND

Planning and Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce
Town of Eastover

MINUTES

August 5, 2008

Members Present

Mr. Donovan McLaurin, Chair
Mrs. Lori Epler, Vice-Chair
Mr. Walter Clark
Mr. Roy Turner
Mrs. Patricia Hall
Mr. Garland Hostetter
Mr. Harvey Cain, Jr

Members Absent

Mrs. Sara Piland
Mr. Benny Pearce
Mr. Charles Morris

Staff/Others Present

Mr. Tom Lloyd, Director
Mr. Cecil Combs, Deputy Director
Ms. Rita Perry
Mr. Will Denning
Mrs. Hope Barnhart
Mrs. Denise Sykes
Mrs. Deloma West
Commissioner Diane Wheatley
Commissioner Billy King (*in audience*)

I. INVOCATION AND PLEDGE OF ALLEGIANCE

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

II. APPROVAL OF/ADJUSTMENTS TO AGENDA

Vice-Chair Epler made a motion to approve the agenda as submitted, seconded by Mr. Turner. Unanimous approval

III. ABSTENTIONS BY BOARD MEMBERS

There were no abstentions by Board members

IV. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

Mr. Lloyd informed the audience in regards to speaking time allowance and repetitive statements.

V. APPROVAL OF THE MINUTES OF JULY 15, 2008

Chair McLaurin: Page 8 "all that was available was RR Rural Residential" should read "all that was available was A1 Agricultural, R6A Residential, and RR Rural Residential"

Vice-Chair Epler: The minutes have been corrected.

Vice-Chair Epler made a motion to approve the minutes as submitted with the correction, seconded by Mr. Hostetter. Unanimous approval

Mr. Lloyd introduced Will Denning, Denise Sykes, Hope Barnhart and Deloma West.

VI. PUBLIC HEARING ITEM

- SHAW HEIGHTS LAND USE PLAN

Mr. Denning presented the plan to the Board as follows:

- 1) INTRODUCTION STUDY AREA BOUNDARY
- 2) COMPARATIVE SIZE OF AREA
- 3) PUBLIC PARTICIPATION
- 4) NATURAL FEATURES
 - a. Septic Tank Suitability
 - b. Hydric Soils
 - c. Water Supply Watershed
 - d. Slope Analysis
 - e. Vegetation Cover
- 5) PHYSICAL & MAN-MADE FEATURES
 - a. Existing Land Use
 - b. Existing Utilities
 - c. Transportation
 - d. Existing Housing Types
 - e. Year Built
 - f. Existing Zoning
 - g. 2010 Land Use Plan
 - h. Fort Bragg Small Area Study Impact
 - i. Recent Activities
 - j. Government Owned Properties
- 6) DEMOGRAPHIC DATA
 - a. Housing, Sociological & Economic Features
 - b. Owner Occupied Units
- 7) MURCHISON ROAD CORRIDOR STUDY
- 8) CITY OF FAYETTEVILLE
 - a. Framework – Two Murchison Roads
 - b. Framework - Green Linkages
 - c. Land Use Concept
- 9) ANALYSIS
- 10) RECOMMENDATIONS
 - a. Plan Strategic Objectives
 - b. Provide Sewer Trunk Lines to the Area
 - c. Land Use Relationship Diagram
 - d. Land Use Plan Map
 - e. Development Standards

There were seven people present to speak as follows:

FAVOR

Ms. Naomi Pauline Allen

OPPOSITION

Ms. Cynthia B. Wood
Ms. Sherry D. O'Steen
Mr. Joseph Tolley
Mr. Mike Cockrell

INQUIRY

Mr. Albert Norton
Ms. Pearl Thompkins

Ms. Wood (opposition): How long is this going to take and where are you going to get the money?

Chair McLaurin: A lot of what is being talked about is private development not government development.

Ms. Wood: It has already happened on Shaw Road. I do not know how the County Commissioners passed these five acres of land to be developed and did not let anybody know about it. The only way we found out about it was from the newspaper. A big corporation is going to build low-income housing. Nobody on Shaw Road was notified about this development.

Chair McLaurin: What is presently happening is prior to this plan.

Mr. Lloyd: This plan is only a guide for when future rezoning requests are submitted.

Ms. Wood: I have lived on Shaw Road for 48 years. I have been perfectly happy with nobody bothering us.

Chair McLaurin: I think we will see I-295 finished first. As Mr. Lloyd stated, it will probably start with the sewer coming through. It will be a gradual process. Shaw Heights was built from 1929 through 1989. It took approximately 60 years to build it to the present status. It will take a long time for this plan. I would keep your eye on the continuation of the highways and the infrastructure.

Ms. Wood: I wish you had more input on putting sewer down Gregory Street and Holland Street, where it is needed before anything else is done.

Chair McLaurin: I think that was on the map.

Ms. O'Steen (opposition): Everything shown on the map goes right through my acre.

Chair McLaurin: As far as the existing Shaw Road?

Ms. O'Steen: Yes. You said other people were going to do these plans.

Chair McLaurin: The private sector. You are a land owner; therefore, you are the private sector.

Ms. O'Steen: Every line is going through my property. I am connected to PWC and I am the only one in the City. If you are coming from Murchison Road, I am the last on the right.

Chair McLaurin: What you are speaking about is if Shaw Road is shifted. It would only be a little turn and the turn would go behind your property. The drawing is an illustration approximation.

Ms. O'Steen: PWC is beside and behind me.

Chair McLaurin: With this plan, if they do not go through your property, your property would be a lot safer.

Ms. O'Steen: I have been there for 56 years. I do not want to go anyway.

Chair McLaurin: When the time comes to laying the road, that would be the time to start talking. I do not think we have to worry about this until the other highway and interchange are finished.

Ms. O'Steen: Would it matter if there are woodpeckers. I have a lot of woodpeckers.

Vice-Chair Epler: It is a certain type of woodpecker.

Chair McLaurin: It is the red-cockaded woodpecker. If you have them on your property, this might be a reason to bypass your property.

Mr. Tolley (opposition): I have lived in Shaw Heights since 1957. I have heard all of the lies told about sewer coming into Shaw Heights. I have Article VI - Mixed Use Development regulation for the County, are we under this regulation?

Mr. Lloyd: That is a zoning district. Yes, it could be in this area.

Mr. Tolley: (Map 20 - Proposed Land Use Plan) If this is approved and it goes before the County Commissioners, would it affect certain zonings?

Mr. Lloyd: No, it would not. This is a future guide. If a property owner wanted their land rezoned, this would be used as a guide for the Staff and Planning Board in determining our recommendation to the Commissioners.

Mr. Tolley: For 46 years I have run a mobile home park (referenced the blue shaded area on Map 20). I have never gotten anything less than an "A" rating from the Health Department. I was very disturbed when I saw the regulation covering this mixed use development. It restricted the use of mobile home parks, but it does allow liquor to be sold. Is it saying that the liquor is better than a mobile home park? If this is approved, will this be incorporated into the 2010 Land Use Plan?

Mr. Lloyd: This will be a plan on record and will not affect the zoning.

Mr. Tolley: Will you bring the plan up at zoning meetings? Is it recommended by the Planning Board?

Mr. Lloyd: Yes. If you wanted to rezone to a mixed use, we would use the plan as a recommendation.

Mr. Tolley: I have 25 acres of land. Under the present set of rules, I have been able to develop 38 mobile homes and the rest I get to mow.

Under the present regulations I have been prevented from improving my mobile home park. When I see this, I wonder are you putting me out of business. When I first started the mobile home park Cumberland County welcomed it because there was no place for the GIs at Fort Bragg to live. Now they no longer like us. All they want to see now are brick houses. Poor people on limited incomes have got to have a place to live. I can rent a very nice mobile home for \$400 a month. You need to back off the mobile home parks, take the alcohol out of the regulations and get real with what is going on in the world. No blanket commercial permits on Murchison Road. Last time I came down here, you helped me out and everything worked out fine. We need to watch what is going on in Shaw Heights. I have been waiting on sewer for 46 years. The little dots on septic tank problems map (referenced Map 3 – Septic Tank Suitability). I had so many septic tanks problems, I went to the State. I went to the Health Department and filed the permits. There is not one mark on the map where I have bought permits. I also repair two or three every year.

Chair McLaurin: This is a plan. Every mobile home park is not as nice as yours. This plan is going to take a long time. If this plan takes the proper amount of time, it will be a while.

Mr. Tolley: The watershed hit us in 1964. There has not been a house built in that neighborhood since 1964. We were told in 1964 because we are part of Fayetteville's watershed we would be the first to get sewer. I have four different sets of plans where the City of Fayetteville was going to annex Shaw Heights. It never happened. With Mr. Lloyd's help, I got permission to dedicate seven acres to put in seven mobile homes spaces and was told not to do it because sewer would be here in two years. I did it anyway. There still isn't any sewer. We have got to have sewer.

Chair McLaurin: We appreciate what you do.

Mr. Lloyd: We did have two neighborhood meetings. (2/21/06 & 6/26/08). Each meeting was approximately two – three hours. There was input into this plan. Obviously, things such as sewer, which we read about in the paper, are out of control. This is a long range plan that is mostly dependent on that sewer.

Commissioner Wheatley: Is one of the reasons there is not any sewer in the area because a large part is still the County and the City does not want to annex?

Vice-Chair Epler: My understanding of this land use study is that as long as you own property and the present use you have for your property and use you are exercising, compiles with the County Zoning Ordinance and Inspection Department it will not change as long as you own the property or unless you want it to change. If they do realign Shaw Road, there are some properties that may be affected. This land use plan is a study guide for the staff, Planning Board and County Commissioners to use for a long range goal in this area. As long as you own your property and are in compliance no one can change your property zoning but you. We are no trying to put you out of business or out of your homes. This is a long range guide. As I stated, there may be area affected by the realignment of the roads. If so, you will be compensated. You still control what you do with your property.

Ms. Allen (in favor): I am a newcomer to this area. I approve and support this plan. It is refreshing to see the potential of this area. I have lived in the area for ten years. In regards to the crime rate statistics, I am the number one person sitting on my porch calling the sheriff. My house is on the corner of Hibiscus Road and Hialeah Court across from the PWC lot.

All the incoming and outgoing traffic passes my house. As for the need of affordable housing, there is a lot with better standards that could be made available to the military. One reason it is officially off limits to the military is because of the poor quality. Change needs to happen.

Mr. Cockrell (opposition): My parents have owned property on Shaw road for the past 45 years. Will this change affect our commercial property? Can we have any input if the NCDOT is going to move Shaw Road? The State already owns Shaw Road. It needs to be straightened but not moved.

Chair McLaurin: They will have a public hearing.

Mr. Cockrell: Would it change the zoning in regards to our commercial property.

Chair McLaurin: It would not change your zoning. Right now the road is a dead end as opposed to a thoroughfare.

Mr. Denning: The Shaw Road project is out of the transportation window. It is not even in their seven year plan. It is going to be a while before the Shaw Road project comes on line.

Chair McLaurin: Most of this is far out. This is a plan that could possibly happen through the support of the private sector over a period of many years.

Ms. Wood: Why are you worrying us about it now?

Chair McLaurin: The plan is springing off of the new roads, I-295 and BRAC; therefore, they are trying to have a plan ahead of time. It is going in stages. Presently the I-295 stage is in progress.

Mr. Lloyd: We have had private investors interested in part of the study area where there will be non-residential use. That is probably what is going to be responsible in the future to help run sewer. At the time of inquiry it went against the present zoning; therefore, we requested a plan due to the interest in the area.

Chair McLaurin: As the base builds up, Mr. Cockrell's land, even being commercial, would reduce traffic count and possibly still be a good viable piece of property for commercial because of the size increase of the base or switch to O & I.

Albert Norton (inquiry): Owner of Skan Electric. We are developing at the corner of Chairmain Street and Murchison Road. We have some interest in developing the property behind us. About three years ago, the County had the land behind us that was going to auction of the property. It was shut down. Is there any reason the County has taken over that property.

Mr. Lloyd: The County Attorney's office can answer the question. That was the "mobile home grave yard". It took a while to get the area cleaned up.

Chair McLaurin: There may be a cleaning bill.

Mr. Norton: A possible satellite sheriff station was mentioned. If it is developed commercially, there should not be a reason for that purpose.

Mr. Denning asked the audience if there were any questions.

Ms. Thompkins: I own three acres of land on Shaw Road. Why do they always run down Shaw Road in the paper?

Chair McLaurin: The report stated that crime has gone down 87% within the past ten years in the area.

Ms. Thompkins: People should clean up the place. People should keep their yards clean. If everyone would cooperate and keep their yards clean Shaw Road would not look so bad.

Mr. Lloyd and Chair McLaurin informed the audience of the County Commissioners public hearing regarding this matter to be held on September 15th at 6:45 in Room 118.

Ms. Wood: Will we get letters?

Mr. Lloyd: Everyone who signed the blue sheet will be notified.

(Chair McLaurin gave everyone in the audience the opportunity to sign up for notification)

Mr. Cockrell: I was under the impression that this presentation would be given to this Board for acceptance or denial. What is this Board's recommendation going to be for the September meeting?

Public hearing closed

Chair McLaurin informed the audience they were welcome to stay and hear the rest of the meeting.

A motion was made by Mr. Turner, seconded by Vice-Chair Epler, to accept the Shaw Heights Land Use Plan proposal as submitted. Unanimous approval

Vice-chair Epler thanked Mr. Denning and his staff for all their hard work on behalf of the Board.

Mr. Lloyd informed the Board they would be working on the Land Use Policy Plan.

VII. DISCUSSION

Mr. Lloyd: We will be calling the Adhoc Committee members in regards the Land Use Policy Plan within the next month.

Commissioner Wheatley: I do not think it has been explained to the people wanting sewer exactly how much it is going to cost them. I think they think it is run out there and they hook up. People are presently being assessed \$5,000, in addition, to needing a plumber for another \$1,200. The old septic tank has to be filled. This is a very expensive process. They do not know the cost. These individuals need to know the cost of sewer.
(Acknowledged Mr. Billy King presence)

Vice-Chair Epler: The people need to understand that this Land Use Plan will promote people to buy/assemble larger tracts of land to support multi-family, commercial or professional use. Now that they know it is looked favorably upon by the Board and the

Commissioners it will promote some of this effort. With that sewer has to come. I do not think it is understood they have more of an opportunity to get sewer that way than the County running it out there for them.

Commissioner King: Thanked the staff for all the hard work. When you look at the issues that the citizens of Shaw Heights said was their vision, you realize that they want the same things that all of us want in our communities. Overall it is a good and safe community that wants good streets and recreations. The sewer issue is a major hill we have to climb. I do not totally agree with the notion that it will be 50 years. It is going to be a challenge. This is part of the County that has been neglected.

Vice-Chair Epler: (Referenced Map #20 – Proposed Land Use Plan) The little triangle next to the Existing Conservatory Area is a Recommend Fayetteville Divest?

Mr. Denning: That is owned by the City. I think most the people who had concerns about the sewer were apartments and mobile home parks owners. The individual homeowners were not that enthused because they felt getting sewer would make them more susceptible to be annexed. The larger tract owners are the persons wanting sewer. The plan recommends putting in the trunk lines and when the large development comes they would be responsible for installing the lateral lines at their expense. Through this process the sewer will come to the homeowners.

Commissioner Wheatley: Don't they still have to pay to be hooked up?

Mr. Denning: Yes. For example, if I am developing a motel and I am required to bring sewer by their property, the homeowner would only have to tap into the line.

Commissioner Wheatley: They would still have to pay the \$5,000 and plumber's cost.

Mr. Combs: It is not so much the assessment you see during involuntary annexation. As development occurs the developer has to run the lines by the existing property; therefore, they do not have to pay the assessment if it is runs in front of your property. They will pay a tap fee.

Ms. Hall: Who is to pay for the trunk lines?

Vice-chair Epler: The people who purchase property and want to develop will pay; therefore, the developers.

Ms. Hall: The first objective in this plan is "Provide primary sewer trunk lines to the Area". Who provides the lines? PWC?

Mr. Denning: The trunk line cost will be that of a public entity. It would either be the City, County, PWC or a combination of both. Sometimes in order to fasten development, the public has to make an investment in the area.

Ms. Hall: This would be unwritten by the County?

Vice-Chair Epler: Not necessarily, If they find some extra money.

Ms. Hall: If this is the #1 primary objective, why isn't funding a priority?

Commissioner King: There have been joint ventures between the County, PWC and the private sector. For example, if a motel were to come into this area. They are willing to go into a joint venture with the City, PWC and the County. If the motel wants to bring the line all the way through then everyone on the path can tap onto the line. An example is the Food Lion in Grays Creek. We took a line down that way. There has been tremendous development since the line went to the Food Lion.

Mr. Lloyd: That is how it got down Hwy 53.

Vice-Chair Epler: As well as Hwy 24.

VIII. FOR YOUR INFORMATION

- DIRECTOR'S UPDATE

There was no Director's update

IX. ADJOURNMENT

There being no further business, the meeting adjourned at 8:22 p.m.