

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

Vikki Andrews,
Diane Wheatley,
Carl Manning,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

MINUTES

February 18, 2014

Members Present

Mr. Walter Clark, Chair
Ms. Patricia Hall, Vice-Chair
Mr. Charles Morris
Mr. Benny Pearce
Mrs. Diane Wheatley
Mr. Harvey Cain, Jr.
Mr. Donovan McLaurin
Dr. Vikki Andrews

Members Absent

Mr. Carl Manning
Mr. Garland Hostetter

Others Present

Mr. Thomas Lloyd
Ms. Patricia Speicher
Ms. Donna McFayden
Mrs. Laverne Howard
Mr. Rick Moorefield
County Attorney

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Pearce delivered the invocation and led those present in the Pledge of Allegiance.

II. APPROVAL OF / ADJUSTMENTS TO AGENDA.

Mr. Lloyd advised the Board that Case P14-05 would be moved from Consent Items to Contested Items.

III. PUBLIC HEARING DEFERRAL /WITHDRAWAL

There were none.

IV. ABSTENTIONS BY BOARD MEMBERS

Mr. Morris stated that he would abstain from voting on Case P14-08.

V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

Mr. Lloyd read the policy statement.

VI. APPROVAL OF THE MINUTES OF JANUARY 21, 2014

Mr. Pearce made a motion to accept the minutes as submitted, seconded by Dr. Andrews. Unanimous approval.

VII. PUBLIC HEARING CONSENT ITEMS

REZONING CASES

- A. **P14-04.** REZONING OF 2.50+/- ACRES FROM A1 AGRICULTURAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3814 LINDEN ROAD, SUBMITTED BY RUDOLPH JACOB AND ARNICE F. ROPER (OWNERS).

CONSISTENCY WITH LAND USE PLAN STATEMENT

The district requested is consistent with the 2030 Growth Vision Plan, which calls for "rural" at this location, as well as exceeding the location criteria for "rural density residential" development as listed in

the Land Use Policies Plan since Linden water is available to serve the subject property; the request is also consistent with the North Central Land Use Plan which calls for "farmland" at this location.

REASONABLENESS & IN THE PUBLIC INTEREST

The location and character of the district requested is reasonable and in the public interest, because it will be in harmony with the surrounding area.

The Planning and Inspections Staff recommends approval of the R40A Residential district because of the foregoing and based on the following:

- The request is comparable with recent rezoning and development in the general area.

There are no other districts considered suitable for this request.

Mr. McLaurin made motions to recommend the adoption and approval of the consistency and reasonableness statements; and to approve R40A Residential district, seconded by Mrs. Wheatley. The motions passed with a unanimous vote.

- B. **P14-06.** REZONING OF .67+/- ACRE FROM C1(P) PLANNED LOCAL BUSINESS AND R6A RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 2986 CUMBERLAND ROAD; SUBMITTED BY NEILL E. CLARK, BILLIE H. CLARK AND DAVID E. CLARK ON BEHALF OF SKIBO PROPERTIES, LLC. (OWNER).

CONSISTENCY WITH LAND USE PLAN STATEMENT

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 "light commercial" development as listed in the Land Use Policies Plan; the request is also consistent with the recently adopted Southwest Cumberland Land Use Plan which calls for "mixed use development" in this area.

REASONABLENESS & IN THE PUBLIC INTEREST

Consideration of the C1(P) Planned Local Business district for the subject property is reasonable because the request is comparable to development and rezonings within the general area.

The Planning and Inspections Staff recommends approval of the C1(P) Planned Local Business district because of the foregoing and based on the following:

- The request is a logical extension of the C1(P) Planned Local Business district.

There are no other districts considered suitable for this request.

Mr. McLaurin made motions to recommend the adoption and approval of the consistency and reasonableness statements; and to approve C1(P) Planned Local Business district, seconded by Mrs. Wheatley. The motions passed with a unanimous vote.

- C. **P14-07.** REZONING OF 1.00+/- ACRE FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTH SIDE OF SR 2245 (THROWER ROAD), EAST OF SR 2372 (NORTH FORK LANE); SUBMITTED BY ROBERT L. MCNAIR (OWNER) AND TIMOTHY B. EVANS.

CONSISTENCY WITH LAND USE PLAN STATEMENT

The district requested is consistent with the 2030 Growth Vision Plan, which calls for "rural" at this location, as well as meeting the location criteria for "rural density residential" development as listed in the Land Use Policies Plan.

REASONABLENESS & IN THE PUBLIC INTEREST

The location and character of the district is reasonable and in the public interest, because it will be in harmony with the surrounding area.

The Planning and Inspections Staff recommends approval of the R40 Residential district because of the foregoing and based on the following:

- If approved, the rezoning would make the lot conforming to the R40 zoning classification.

There are no other districts considered suitable for this request.

Mr. McLaurin made motions to recommend the adoption and approval of the consistency and reasonableness statements; and to approve R40 Residential district, seconded by Mrs. Wheatley. The motions passed with a unanimous vote.

- D. **P14-08.** REZONING OF 3.00+/- ACRES FROM C(P) PLANNED COMMERCIAL AND R6A RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3840 AND 3850 LEGION ROAD, SUBMITTED BY JAMES C. AND CATHERINE MELVIN (OWNERS) AND DAVID EVANS.

CONSISTENCY WITH LAND USE PLAN STATEMENT

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; the request is also consistent with the recently adopted Southwest Cumberland Land Use Plan which calls for “heavy commercial” at this location.

REASONABLENESS & IN THE PUBLIC INTEREST

Consideration of the C(P) Planned Commercial district for the subject property is reasonable and in the public interest because the request is comparable to development and rezonings within the general area.

The request is also reasonable because SR 1132 (Legion Road) is a major thoroughfare that is planned as a multi-lane facility with a right-of-way of 100 feet and public utilities are available to this site.

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

- The request is logical as the majority of the subject property is already zoned C(P) Planned Commercial.

There are no other districts considered suitable for this request.

Mr. McLaurin made motions to recommend the adoption and approval of the consistency and reasonableness statements; and to approve R40 Residential district, seconded by Mrs. Wheatley. The motions passed with a unanimous vote, with Mr. Morris abstaining from voting.

VIII.PUBLIC HEARING CONTESTED ITEMS

REZONING CASE

- E. **P14-05.** REZONING OF .36+/- ACRE FROM R6 RESIDENTIAL TO R6A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3112 DYKE STREET, SUBMITTED BY DAVID GAUSE (OWNER).

Mr. Lloyd presented the case information and stated the following:

CONSISTENCY WITH LAND USE PLAN STATEMENT

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 “high density residential” development as listed in the Land Use Policies Plan; the request is also consistent with the recently adopted Southwest Cumberland Land Use Plan which calls for “mixed use development” at this location.

REASONABLENESS & IN THE PUBLIC INTEREST

The location and character of the district is reasonable and in the public interest, because it will be in harmony with the surrounding area.

The Planning and Inspections Staff recommends approval of the R6A Residential district because of the foregoing and based on the following:

- Public utilities are available to the subject property.

There are no other districts considered suitable for this request.

There were people present to speak in opposition.

Mr. William Murlot, Jr. spoke in opposition. Mr. Murlot asked those who were with him to stand. Mr. Murlot stated that his concerns were that his property values would go down, feels that the property is too small for trailers, and is also concerned about the criminal element coming in after the neighborhood has finally been cleaned up.

Mr. James W. Hill spoke in opposition. Mr. Hill stated that his property was directly behind the subject property and he's in the process of putting duplexes on his property. Mr. Hill also stated that there has been a lot of work done to clean up the neighborhood as far as the drugs and prostitution goes. The residents are trying to make the neighborhood a decent neighborhood. Mr. Hill feels that bringing trailers back in will bring the crime back in to the neighborhood that they have worked so hard to clean up.

Public hearing closed.

Mr. McLaurin said that based upon the testimony of the residents, it appears that the change would not be consistent with the Land Use Plan and not be in the public's best interest. For those reasons, Mr. McLaurin made a motion to deny the request for R6A Residential district, seconded by Mr. Morris. The motion passed with a unanimous vote.

IX. DISCUSSION

- Mr. Lloyd updated the Board on the Board of Commissioner's meeting. Mr. Lloyd advised that one of the cases heard last month would come back to the Planning Board.
- Mr. Lloyd reminded Board members to advise whether or not they would be at a meeting so that we can ensure that we will have enough for a quorum.
- Mr. Lloyd stated that there had been some talk about merging City and County Planning staff. Mr. Lloyd talked with the Mayor and explained why he didn't think that was a good idea and advised the Mayor that a merger wouldn't be in the best interest of the municipalities. Mr. Lloyd stated that the Board members should voice their opinions with their local boards if they should hear anything about this.

X. ADJOURNMENT

There being no further business, the meeting adjourned at 7:46 p.m.