

**Diane Wheatley,
Chair,
Cumberland County**

**Carl Manning,
Vice-Chair
Cumberland County**

Jami McLaughlin,
Town of Spring Lake
Jordan Stewart.,
Town of Stedman

Vacant
Wade, Falcon & Godwin

Thomas Lloyd,
Town of Linden



Planning & Inspections Department

**Joel Strickland,
Acting Director**

**Vacant,
Deputy Director**

Vikki Andrews,
Lori Epler,
Cumberland County

Stan Crumpler,
Town of Eastover

Patricia Hall,
Town of Hope Mills

MINUTES
July 16, 2019

Members Present

Mrs. Diane Wheatley – Chairman
Mr. Carl Manning – Vice Chairman
Mr. Jordan Stewart
Mr. Stan Crumpler
Mr. Thomas Lloyd
Mrs. Jamie McLaughlin
Mrs. Lori Epler
Ms. Patricia Hall
Dr. Vikki Andrews

Members Absent

Others Present

Mr. Joel Strickland
Ms. Annie Melvin
Mr. Edward Byrne
Mrs. Laverne Howard
Mr. Rick Moorefield,
County Attorney
Mr. Tracy Jackson,
Asst. County Manager

I. INVOCATION AND PLEDGE OF ALLEGIANCE

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

II. SWEARING IN OF NEW BOARD MEMBERS

Chair Wheatley swore in new Board members Jordan Stewart and Thomas Lloyd.

III. APPROVAL OF / ADJUSTMENTS TO AGENDA

Mr. Lloyd advised that he wanted to pull Case P19-30 from the Consent Agenda and move it to Contested Items.

Mr. Lloyd made a motion seconded by Mr. Crumpler to approve the agenda with the adjustment. Unanimous approval.

IV. PUBLIC HEARING WITHDRAWAL / DEFERRAL

There were none.

V. ABSTENTIONS BY BOARD MEMBERS

Mrs. Epler advised that she needed to abstain from voting on Case P19-32.

VI. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

Mr. Strickland read the policy statement.

VII. APPROVAL OF THE MINUTES OF JUNE 18, 2019

Mrs. Epler made a motion, seconded by Mrs. McLaughlin to approve the minutes as submitted.

VIII. PUBLIC HEARING CONSENT ITEMS

REZONING CASES

- A. **P19-32.** REZONING OF 50.90+/- ACRES FROM RR RURAL RESIDENTIAL TO R15 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 1878 FENNEL ROAD; SUBMITTED BY SHARLEEN WILLIAMS & ROBERT J. WILLIAMS ON BEHALF OF PELICAN PROPERTY HOLDINGS, LLC (OWNER).

In Case P19-32, the Planning and Inspections Staff recommends approval of the rezoning from RR Rural Residential to R15 Residential and find the request is consistent with the adopted South Central Land Use Plan (2015) which calls for “low density residential” at this location, R15 Residential allows for the desired 2.2 to 6 units/acre density within the “low density residential” designation; and further find that approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding zoning and existing land uses and public water and sewer will be provided to the development.

In Case P19-32, Ms. Hall made a motion, seconded by Mr. Manning to approve the rezoning from RR Rural Residential to R15 Residential and find the request is consistent with the adopted South Central Land Use Plan (2015) which calls for “low density residential” at this location, R15 Residential allows for the desired 2.2 to 6 units/acre density within the “low density residential” designation; and further find that approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding zoning and existing land uses and public water and sewer will be provided to the development. The motion passed unanimously, with Mrs. Epler abstaining from the vote.

- B. **P19-33.** REZONING OF 2.31+/- ACRES FROM C1(P) PLANNED LOCAL BUSINESS DISTRICT & R6A RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 1316 & 1334 SHAW ROAD, SUBMITTED BY MARY LEE COCKRELL (OWNER) & NORMAN MICHAEL COCKRELL (AGENT).

In Case P19-33, the Planning and Inspections Staff recommends approval of the rezoning from C1(P) Planned Local Business District & R6A Residential to C(P) Planned Commercial and find:

- a. The approval is an amendment to the adopted current Shaw Heights Land Use Plan (2008) 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 subject property meets many of the location criteria for “heavy commercial” as defined in the Land Use Policies Plan (2009);
- c. And, this rezoning approval is reasonable and in the public interest because the subject property has access to public utilities, is of sufficient size to provide buffering to surrounding properties as well as vehicular movement and could provide needed neighborhood services to the surrounding residential properties.

In Case P19-33, Ms. Hall made a motion, seconded by Mr. Manning to approve the rezoning from C1(P) Planned Local Business District & R6A Residential to C(P) Planned Commercial and find: a) The approval is an amendment to the adopted current Shaw Heights Land Use Plan (2008) 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 subject property meets many of the location criteria for “heavy commercial” as defined in the Land Use Policies Plan (2009); c) And, this rezoning approval is reasonable and in the public interest because the subject property has access to public utilities, is of sufficient size to provide buffering to surrounding properties as well as vehicular movement and could provide needed neighborhood services to the surrounding residential

properties. The motion passed unanimously.

- C. **P19-34.** REZONING OF 1.38+/- ACRES FROM R6A RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICT ZONING DISTRICT; LOCATED IN THE NORTHEASTERN QUADRANT OF THE INTERSECTION OR SR 1138 (APPLEBURY LANE) & SR 1141 (CUMBERLAND ROAD); SUBMITTED BY ROY AND WILLIAM PLAYER ON BEHALF OF THE MARY ELAINE PLAYER ESTATE (OWNER). (HOPE MILLS)

In Case P19-34, the Planning and Inspections Staff recommends approval of the rezoning from R6A Residential to C(P) Planned Commercial and find the request is consistent with the adopted Southwest Cumberland Land Use Plan (2014) which calls for "heavy commercial" at this location, C(P) Planned Commercial is designated as a heavy commercial district; and further find that approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding zoning and existing land uses and may provide further access to the large adjacent C(P) zoned tract to the north.

In Case P19-34, Ms. Hall made a motion, seconded by Mr. Manning to approve the rezoning from R6A Residential to C(P) Planned Commercial and find the request is consistent with the adopted Southwest Cumberland Land Use Plan (2014) which calls for "heavy commercial" at this location, C(P) Planned Commercial is designated as a heavy commercial district; and further find that approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding zoning and existing land uses and may provide further access to the large adjacent C(P) zoned tract to the north. The motion passed unanimously.

IX. PUBLIC HEARING CONTESTED ITEMS

CONDITIONAL ZONING DISTRICT

- D. **P19-30.** REZONING OF 7.35+/- ACRES FROM R6A RESIDENTIAL TO RR RURAL RESIDENTIAL/CZ CONDITIONAL ZONING FOR A RECREATIONAL VEHICLE PARK AND/OR CAMPGROUND OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTH SIDE OF SR 1834 (DOWNING ROAD), NORTH AND WEST OF BLACKMAN DRIVE; SUBMITTED BY CAROLYN THOMAS & LARRY STRAWBRIDGE, TRACY & WESLEY C. ROBERTS AND STEVEN CHARLES STRAWBRIDGE (OWNERS).

Mr. Byrne presented the case information and photos.

In Case P19-30, the Planning and Inspections Staff recommends approval of the rezoning from R6A Residential to RR Rural Residential/CZ Conditional Zoning subject to the conditions within our packet and find:

- a. The approval is an amendment to the adopted current Vander Land Use Plan (2017) 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 subject property meets the location criteria for "suburban density residential" as defined in the Land Use Policies Plan (2009);
- c. And, this rezoning approval is reasonable and in the public interest because while the underlying zoning district is not consistent with the plan, the requested use is in harmony with the surrounding existing land uses and would be compatible with future mixed-use development on adjacent properties. Public utilities are also available.

Mrs. Epler asked how many of the mobile homes on the property are occupied.

Mr. Byrne stated that he wasn't sure but was told that the mobile homes would be moved.

There was one person signed up to speak in favor.

Public hearing opened.

Mr. Patrick Martin spoke in favor. Mr. Martin stated that currently this is a mobile home park, but most of the homes that are being taken down and people have been notified to remove their homes. There are two homes still occupied but they are in the process of moving. Mr. Martin said that they are proposing one hundred and thirty-three camp sites on the one parcel of land. They will be using the site with existing utilities.

Mr. Lloyd asked if there was a dumping station.

Mr. Martin said no, currently with the mobile homes they have city sewer.

Mr. Lloyd asked what type of recreational vehicle user will frequent the park.

Mr. Martin said mainly workers coming into the area.

Mr. Lloyd said he thought that in the area if there were pipeline things that had already been approved, and that he wasn't against the rezoning but it's difficult for Code Enforcement to ensure that the ninety day limit is followed, and asked if these workers were going to be three months or less.

Mr. Martin said that it wouldn't just be to the employees of the pipeline, but we have dealt with the pipeline in the past and those crews will come in for a few weeks at a time. There are several crews that come in and out with the pipeline.

Mr. Lloyd said that he knows that these RV parks are used for longer than ninety days. According to the ordinance the intent for an RV park is ninety days, they're not constructed for permanent habitation, it's difficult to enforce the ninety days.

Mrs. Epler asked if the Board asked for an amendment to the ordinance that states any contract that is signed by a prospective customer of an RV park anyone of those contracts must stipulate from this time going forward that that contract is only good for a maximum of ninety days and its written and signed, if the applicant would have a problem with that.

Mr. Martin said he had full intentions of following the ninety-day policy and had to have people move out in other places because of that problem, but they have been careful with the ninety-day policy. Does not see a problem with it, because they stay for such a short amount of time.

Mr. Crumpler said that he noticed that some of the lots were small and asked if there were going to be on-site security and if more lanes would be required on Downing Road.

Mr. Martin said that they had been working with an engineer we do have some spots that are smaller than what is required, they are there for such a short amount of time, we have security cameras, lighting, one way in and one way out. We are still at the beginning phases and need to take care of the first steps before talking about improving the road.

Ms. Hall asked about the application stating manufactured home park.

Mr. Martin said that we are converting from a manufactured home park to an RV park.

Public hearing closed.

In Case P19-30, Mr. Lloyd made a motion, seconded by Mrs. Epler to approve the rezoning from R6A Residential to RR Rural Residential/CZ Conditional Zoning subject to the conditions within our packet and find: a) The approval is an amendment to the adopted current Vander Land Use Plan (2017) 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 subject property meets the location criteria for “suburban density residential” as defined in the Land Use Policies Plan (2009); c) And, this rezoning approval is reasonable and in the public interest because while the underlying zoning district is not consistent with the plan, the requested use is in harmony with the surrounding existing land uses and would be compatible with future mixed-use development on adjacent properties. Public utilities are also available. The motion passed with Mr. Crumpler voting in opposition.

X. DISCUSSION

- Mr. Strickland presented the Board with updated Committee assignments.
- Mr. Strickland advised the Board that they hope to have a Planning Manager for the Land Use Codes section in place by August.
- Mr. Strickland reminded the Board that they have the first Tuesday of the month available for training meetings or anything that the Board would be interested in going over.
- Mr. Strickland reminded the Board that if there was anything in regard to the individual municipalities that they wanted staff to work on for this upcoming year to let him know and they could make plans to address those things.
- Mrs. Epler said that she would like to see a text amendment that requires the contracts that people sign to get an agreement from the leasee and the leasor of that space that they will not be there more than ninety days.

Mrs. Epler made a motion, seconded by Mrs. McLaughlin to ask staff to come up with wording for an additional condition that is to be applied, a text amendment in the RV section of the ordinance that states any contract between a leasee and a leasor has to state that it’s only good for ninety days. The motion passed unanimously.

XI. ADJOURNMENT

There being no further business, the meeting adjourned at 7:51 pm.