

MINUTES OF THE TOWN OF STEDMAN BOARD OF COMMISSIONERS
APRIL 4, 2019-----7PM
REGULAR MEETING

MEMBERS PRESENT

Mayor Martin L. Jones, Commissioner Jeremy George, Commissioner Paul Pirro, Commissioner Wayne Mosley, Commissioner Peggy Raymes and Commissioner Jordan Stewart

STAFF PRESENT

Town Clerk Christy Horne, Town Attorney Tim Smith, Administrative Assistant Rebecca Johnson and Police Chief Mike King

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Jones led the Invocation and the Pledge of Allegiance.

ADOPTION OF AGENDA

Commissioner George made a motion to adopt the April 4, 2019 agenda which was seconded by Commissioner Raymes and carried unanimously by the Board.

CONSENT AGENDA

Commissioner Raymes made a motion to accept the minutes from the March 7, 2019 Regular meeting and the minutes from the Special meeting on March 26, 2019. The motion was seconded by Commissioner Pirro and carried unanimously by the Board.

PRESENTATIONS –

- a. Cumberland County Health Department – Phyllis McLymore spoke to the Mayor, Commissioners and everyone present at the meeting regarding services offered through the Cumberland County Health Department. The Health Department offers a variety of services to the Community that include education, parenting programs, environmental health, adult and children health services, nutrition services and other services and programs. Ms. McLymore explained some of these services and left information for the Town.

PUBLIC HEARING – Case P19-11 Rezoning of .59+/- acre from R10 Residential to C3 Heavy Commercial or to a More Restrictive Zoning District; Located on North Side of NC HWY 24 (Clinton Road), East of Windwood Drive; Submitted by Charles E. Horne (owner). Aaron Barnes from the Cumberland County Planning Department spoke regarding this case and that the Planning and Inspections Staff recommends approving the rezoning as it is in harmony with the surrounding existing land uses and zoning. There was on one signed up to speak for or against the rezoning of this property. The Mayor and Commissioners discussed the rezoning of this property and Commissioner Raymes made a motion to approve the rezoning from R10 Residential to C3 Heavy Commercial. Commissioner Pirro seconded this motion and the rezoning was unanimously approved by the Board.

PUBLIC FORUM – None

OLD BUSINESS – None

NEW BUSINESS – None

STAFF REPORTS/BOARD OF COMMISSIONERS

- a. Town Clerks Report – The Town Clerk notified the Mayor/Board that notices regarding not flushing wipes had been mailed to residents and also put on the Town website. She also updated the Town on the status of Code Enforcement. Our officer is Gilbert Sanchez and he came by the Town Hall on 3/13/19 to let us know that he is now working on enforcing standards within the Town limits. The Town Clerk would like to set a budget meeting with the Mayor and Board. Monday, May 20 at 6:00 pm was agreed upon for this meeting. The next Land Use Plan meeting is scheduled for April 11 at 6:00pm. Town Hall will be closed April 19th for the Good Friday Easter holiday. Town Hall will close at noon on Wednesday, May 8th so that the Clerk and Administrative Assistant can attend a Powell Bill training session in Raleigh.
- b. Chief of Police Report – Chief King reported 118 calls for March which included safety checks, 2 accidents and speeding incidents. There was a report of a wallet being stolen from a vehicle in the park. The Chief reviewed the camera footage and could not determine anyone other than the occupants entering the vehicle during the time it was in the park.
- c. Stedman Fire Department – No one from the Fire Department was present but the Mayor reported that they are still working on the requirements necessary for the insurance upgrade. The Mayor also stated that Cumberland County is working on a tax increase to benefit the County fire departments and will most likely abolish the special fire tax if this increase is passed for the 2020 budget year.
- d. Planners Report – Aaron Barnes reported that 2020 Census information is forthcoming and he wanted to put this on the Town’s radar. He can be contacted for more information as he will be the contact for the Town.
- e. Mayor and Board of Commissioners – None
- f. Closed Session – Attorney Client Privilege

A motion was made at 7:32PM by Commissioner Raymes, seconded by Commissioner George and carried by the Board to go into closed session to discuss Attorney/Client privilege. At 8:10PM, a motion was made by Commissioner Raymes, seconded by Commissioner Stewart and carried unanimously by the Board to go out of closed session.

ADJOURNMENT

A motion was made by Commissioner George and seconded by Commissioner Stewart to adjourn the April 4, 2019 meeting at 8:11pm.

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



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

Planning & Inspections Department

Joel Strickland,
Acting Director

Vacant,
Deputy Director

Vikki Andrews,
Carl Manning,
Lori Epler,
Cumberland County

Stan Crumpler,
Town of Eastover

Patricia Hall,
Town of Hope Mills

March 26, 2019

MEMO TO: STEDMAN BOARD OF COMMISSIONERS

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P19-11. REZONING OF 0.59+/- ACRE FROM R10 RESIDENTIAL TO C3 HEAVY COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON NORTH SIDE OF NC HWY 24 (CLINTON ROAD), EAST OF WINDWOOD DRIVE; SUBMITTED BY CHARLES E. HORNE (OWNER). (STEDMAN)**

ACTION: In Case P19-11, the Cumberland County Joint Planning Board recommends approval of the rezoning from R10 Residential to C3 Heavy Commercial and find:

- a. The approval is an amendment to the adopted current Stedman Land Use Plan (1999) 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 more recently adopted 2030 Growth Vision Plan (2009) which calls for "community growth areas" at this location and the subject property meets 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 district requested is in harmony with the surrounding existing land uses and zoning.

SITE PROFILE: Frontage & Location: 121'+/- on NC Hwy 24 (Clinton Road) **Depth:** 272'+/- **Adjacent Property:** Yes **Current Use:** Vacant **Initial Zoning:** R10 – September 3, 1996 (Area 20) **Nonconformities:** None **Zoning Violation(s):** None **School Capacity/Enrolled:** Stedman Primary: 200/191; Stedman Elementary: 300/306; Mac Williams Middle: 1270/1156; Cape Fear High: 1425/1466 **Special Flood Hazard Area (SFHA):** None **Water/Sewer Availability:** Stedman/Stedman **Soil Limitations:** Yes; Hydric: Ra (Rains sandy loam) **Subdivision/Site Plan:** If approved, site plan review required **Average Daily Traffic County (2016):** 12,000 on NC Hwy 24 (Clinton Road) **Highway Plan:** Clinton Road is identified as an existing expressway in the 2040 Metropolitan Transportation Plan. Clinton Road is also identified as R-2303, a widening project from SR 1006 (Maxwell Road) to SR 1853 (John Nunnery Road). Right-of-way acquisition is already complete. **SURROUNDING LAND USE:** Residential, funeral home, indoor recreation, day care facility and woodlands **COMPREHENSIVE PLANS: 2030 Growth Vision Plan:** Community Growth Areas; **Stedman Land Use Plan: 1999):** Low Density Residential **Notes:** 1. Density R10- 3 lots/units 2. Minimum Yard Setbacks: A1 R10 C3 **Front yard:** 30' 45' **Side yard:** 10' 15' **Rear yard:** 35' 20'

Cumberland County Joint Planning Board Minutes of March 19, 2019 Meeting:

In Case P19-11, the Planning and Inspections Staff recommends approval of the rezoning from R10 Residential to C3 Heavy Commercial and find:

- a. The approval is an amendment to the adopted current Stedman Land Use Plan (1999) 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 more recently adopted 2030 Growth Vision Plan (2009) which calls for "community growth areas" at this location and the subject property meets 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 district requested is in harmony with the surrounding existing land uses and zoning.

There were people present to speak in favor and in opposition.

Public hearing opened.

Mr. Billy Horne spoke in favor. Mr. Horne stated that there was a house on the subject property until Department of Transportation (DOT) widened the highway and took a good portion of the property. The property is not suitable to put a house on now and it's divided by a fence on the east end. It would make a descent addition to the C3 property that is already there and feels it would be a more practical use.

Mrs. Epler asked Mr. Horne if there was an existing business on the existing C3 property.

Mr. Horne said there was, but DOT took everything in that area.

Mr. Alonzo Mosely spoke in opposition. Mr. Mosely stated that his property was somewhat adjacent to the subject property. Mr. Mosely stated that his concerns are the type of business Mr. Horne wants to bring in, noise, loitering, and increased traffic that any potential new business could bring.

Mr. Morris told Mr. Mosely that in a straight rezoning because it's not a conditional use rezoning, the board can't even ask what type of business it's going to be. He can only put in that zoning specifically what the ordinance allows and nothing other than what it allows, and the board can't ask what it is so it doesn't affect their decision.

Mr. Horne spoke in rebuttal and said that he understands that Mr. Mosely is concerned about the traffic, but he doesn't know if his rezoning will increase the traffic on Highway 24 or not, it's a major road and there is traffic every day, always has been. Mr. Horne said the request is the most practical use for the property.

Mrs. Epler said that C3 allows things that are not conducive to residential and wondered if Mr. Horne had considered another commercial zoning that might not be so intrusive to residential areas.

Mr. Byrne stated that under Stedman's ordinance they don't have a C2 zoning, they have C1, C3, and the C(P) district. The C(P) district you have to have a minimum of two acres of land that's why we had to suggest if going for heavy commercial to match up with the adjacent commercial which was C3.

Mrs. Epler said she understood.

Public hearing closed.

Mr. Morris asked about the buffering requirement in C3.

Mr. Byrne said that C3 doesn't have a plan review process, it's up to Inspections when they go out to inspect the site to follow the ordinance. They are still required to have some type of buffering.

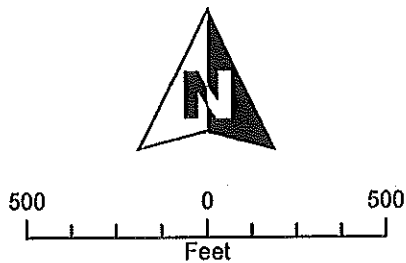
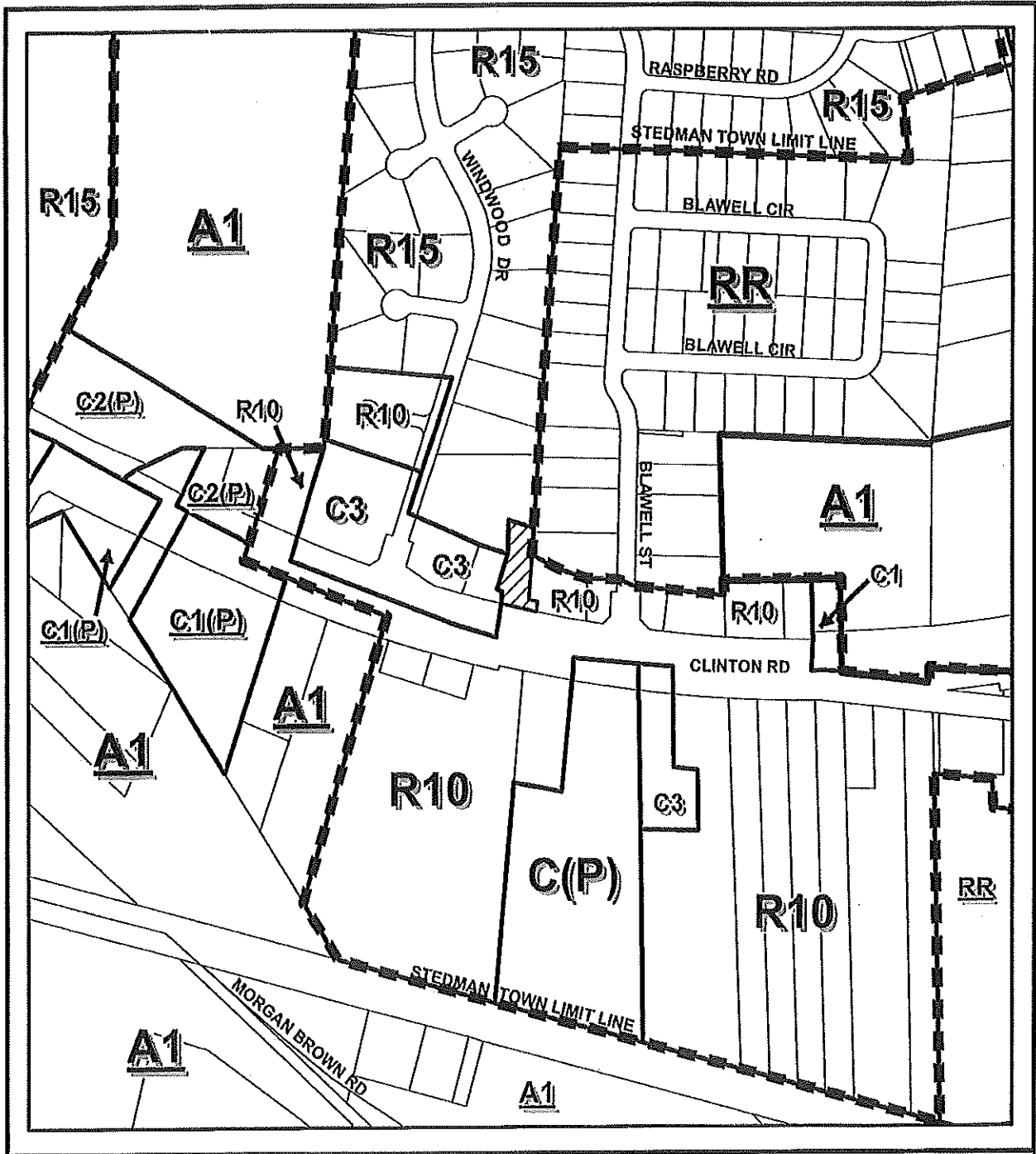
Public hearing closed.

In Case P19-11, Mr. Cain made a motion, seconded by Mrs. Epler to approve the rezoning from R10 Residential to C3 Heavy Commercial and find: a) The approval is an amendment to the adopted current Stedman Land Use Plan (1999) 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 more recently adopted 2030 Growth Vision Plan (2009) which calls for "community growth areas" at this location and the subject property meets 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 district requested is in harmony with the surrounding existing land uses and zoning.

Unanimous approval.

Attachments: P19-11 Sketch Map



PIN: 0486-51-5723

REQUESTED REZONING R10 TO C3

ACREAGE: 0.59 AC. +/-		HEARING NO: P19-11	
ORDINANCE: STEDMAN	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

LH
2-27-2019