CITY OF LUMBERTON

CITY COUNCIL

MINUTES ● DECEMBER 14, 2016

Special Meeting | **Council Chambers** | **11:00 AM**

500 N Cedar St, Third Floor, Lumberton, NC 28358

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Bruce W. Davis	Mayor	Present	
Leroy Rising	Precinct 1	Present	
John Robinson	Mayor Pro Tem	Present	
Burnis Wilkins	Precinct 3	Present	
Karen Higley	Precinct 4	Present	
John Cantey Jr.	Precinct 5	Present	
Chris Howard	Precinct 6	Present	
Leon Maynor	Precinct 7	Present	
Erich Hackney	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Laney Mitchell-McIntosh	City Clerk	Present	
Holt Moore	City Attorney	Present	
Heath Graham	Sergeant-at-Arms	Present	

II. CONSENT AGENDA

III. AGENDA ITEMS - PUBLIC HEARINGS

1. Conditional Use Permit petition for property located at 201 W. 16th Street (parcel #3227-04-035/Deed Book 1964 Page 415) – Brandon Love, Planning Director
   Dora Lena Hinds, with Changing Lives Mission, Inc. has submitted a Conditional Use Permit petition for property located at 201 W. 16th Street. The proposed use of the property is a halfway house. The property is zoned R-7, residential single family, and a Conditional Use Permit is required to operate a halfway house within the R-7 zoning district. This property is located within Area 18, as identified in our Land Use Plan.

   On November 22, 2016 the Planning Board held the public meeting and recommends that City Council deny the Conditional Use Permit request for the following reason(s):

   - The proposed development will not be in harmony with the area in which it is to be located.

   On November 30, 2016 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the rezoning request.

   On November 30, 2016 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the rezoning request.

On November 30, 2016 a request was sent to the Robesonian to have the legal ad for this request ran on December 2, 2016 and December 9, 2016.
Recommends that City Council hold tonight's public hearing and deny the Conditional Use Permit request.

Mayor Davis opened the Public Hearing to the issuance of a Conditional Use Permit for property located at 201 W. 16th Street. City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian. The purpose of the petition is to operate a halfway house.

Mr. Coble Wilson, Judge Samuel Britt, Ms. Carlena Platt and Attorney David Ramsaur all appeared in opposition of the Conditional Use Permit petition. Some stated facts about the district being historic as well as problem that they have had from the halfway house.

No one else appeared to speak and the hearing was closed.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Erich Hackney, Precinct 8
SECONDER:	Leon Maynor, Precinct 7
AYES:	Davis, Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney

2. Richard Kaczar requests a contiguous annexation of property located at 465 Kenric Road (Parcel #0207-02-006-01). – Brandon Love, Planning Director
The Planning & Neighborhood Services Department received an application for a contiguous annexation from Richard Kaczar requesting that property located at 465 Kenric Road, being Parcel #0207-02-006-01, be annexed into the City of Lumberton.

   On November 30, 2016 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the rezoning request.

   On November 30, 2016 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the rezoning request.

   On November 30, 2016 a request was sent to the Robesonian to have the legal ad for this request ran on December 2, 2016 and December 9, 2016.
   Recommend that City Council hold tonight?s public hearing and approve the annexation request

   Mayor Davis opened the Public Hearing to consider extending the corporate limits for a contiguous annexation for property located at 465 Kenric Road. City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian.

   No one appeared to speak and the hearing was closed.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leon Maynor, Precinct 7
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

3. Rezoning petition for property located at 3519 Meadow Road (parcel #0816-01-008/Deed Book 2044 Page 104). – Brandon Love, Planning Director
David Lee Edge has submitted a Rezoning petition for property located at 3519 Meadow Road. The applicants intended use of the property is to place three (3) double wide mobile homes on this property. This property is located within the City of Lumberton's Extraterritorial Jurisdiction (ETJ).

On November 22, 2016 the Planning Board held the public meeting and recommends that City Council approve the rezoning request.

On November 30, 2016 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the rezoning request.

On November 30, 2016 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the rezoning request.

On November 30, 2016 a request was sent to the Robesonian to have the legal ad for this request ran on December 2, 2016 and December 9, 2016

Recommends that City Council hold the public hearing and approve the Rezoning request.

Mayor Davis opened the Public Hearing to consider an amendment to the Land Use Ordinance by rezoning property located at 465 Kenric Road. City Clerk Laney Mitchell-McIntosh submitted the Affidavit of Publication showing that the Notice of the Hearing was advertised in The Robesonian.

No one appeared to speak and the hearing was closed.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Leon Maynor, Precinct 7
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Wilkins, Higley, Cantey Jr., Howard, Maynor, Hackney
ABSTAIN:	Davis

IV. ADJOURNMENT

Executive Session: Councilman Hackney made a motion, seconded by Councilman Cantey to enter into executive session to consult with the Attorney.

Open Session: Councilman Hackney made a motion, seconded by Councilman Howard to return to open session:

Being no further business to come before the Board the meeting was adjourned.