

**MINUTES
CITY OF FAYETTEVILLE
ZONING COMMISSION MEETING
FAST TRANSIT CENTER COMMUNITY ROOM
NOVEMBER 12, 2024 @ 6:00 P.M.**

MEMBERS PRESENT

Kevin Hight, Chair
Stephen McCorquodale, Vice-Chair
Tyrone Simon
Pavan Patel
Justine Herbe

STAFF PRESENT

Clayton Deaton, Planning and Zoning Division Manager
Craig Harmon, Senior Planner
Demetrios Moutos, Planner I
Lisa Harper, City Attorney
Catina Evans, Office Assistant II

The Zoning Commission Meeting on Tuesday, November 12, 2024, was called to order by Chair Pavan Patel at 6 p.m. The members introduced themselves.

I. APPROVAL OF THE AGENDA

MOTION: Tyrone Simon made a motion to approve the agenda.

SECOND: Justin Herbe

VOTE: Unanimous (5-0)

II. APPROVAL OF THE CONSENT AGENDA TO INCLUDE THE MINUTES FROM THE OCTOBER 8, 2024, MEETING

MOTION: Patel Pavan made a motion to approve the minutes from the October 8, 2024, meeting.

SECOND: Tyrone Simon

VOTE: Unanimous (5-0)

III. LEGISLATIVE HEARING

Mr. Patel discussed the aspects of the legislative hearing, and he inquired if any board members had conflicts of interest or ex parte communication related to the evening's agenda items, and none were reported.

P24-43. Rezoning from Single Family Residential 10 (SF-10) to Neighborhood Commercial (NC) located at 202 Hope Mills Road (REID #0416194844000) totaling 2.62 acres ± and being the property of Saint Matthews United Methodist Church.

Craig Harmon presented case P24-43. The applicants from Saint Matthews United Methodist Church want to rezone their property from Single-Family Residential 10 (SF-10) To Neighborhood Commercial (NC). He said the property is located close to a auto zone, and the surrounding area is zoned commercial. The Future Land Use Plan calls for the land to be commercial. Mr. Harmon pointed out the location of the church and the surrounding area. He said the NC zoning allows for uses that would align with the church's plans. The church wants a commercial daycare on the property and the NC zoning district would allow or for current and proposed uses. Staff has recommended approval since the request aligns with the Future Land Use Plan (FLUP) and is appropriate with surrounding uses. Mr. Harmon pointed out that there are no other factors that affect the welfare of the ccopmmunity.

Mr. Hight opened the legislative hearing for case P24-43.

Speaker in favor:

Mary McLeod, 202 Hope Mills Road, Fayetteville, NC 28304

- Ms. McLeod works at the Saint Matthews United Methodist Church.
- She said the church started a daycare project and found out that they needed to be rezoned so they could continue to serve the community. The church provides a thrift store, a community garden, and a prayer garden for the community.

Mr. Herbe asked Ms. McLeod what was required of them and Ms. McLeod said they needed to have a separate entity to hold the daycare. Therefore, the church had to be rezoned. Mr. Simon inquired about the location of the church in relation to the car lot and the Auto Zone, and Ms. McLeod said the thrift store faces the auto zone. Mr. Hight asked Ms. McLeod if the church plans to build new construction on the property and she said no. Mr. Simon asked for clarification concerning the use of the property for a childcare center, and Ms. McLeod confirmed this. Mr. Patel asked if the current zoning allows for all of the proposed items, and Ms. McLeod replied yes.

Mr. Hight closed the hearing for case P24-43.

MOTION: Pavan Patel made a motion to approve the rezoning request based on the consistency statements.
SECOND: Tyrone Simon
VOTE: Unanimous (5-0)

P24-44. Rezoning request from Neighborhood Commercial (NC) to Limited Commercial (LC), located at 822 Hope Mills Road (REID #0416175053000), owned by Robert Wayne Johnson and Pamela F. Johnson.

Demetrios Moutos presented case P24-44, stating that the applicants own Waynes Wheels. They are requesting to rezone the property to Limited Commercial (LC). The subject property is located at the intersection of Ponderosa Road and the property is currently zoned Neighborhood Commercial (NC). Mr. Moutos pointed out the locations where the surrounding properties are zoned NC and LC. A used car dealership resides near the area, Office Institutional (OI) zoning is located to the south of the property, and NC and SR-10 zoning is found east of the subject property. An elementary school and a single-family subdivision are located near the property as well. The area was annexed into Cumberland County in 1999, and two structures reside on the site which were previously part of a car lot. Mr. Moutos stated that this request would rezone the area to LC, which would encourage revitalization efforts within the community. This rezoning aligns with the Future Land Use Plan. The owner plans to sell the property and use it as a body shop. This rezoning will enhance local uses and encourage a diverse community. Mr. Moutos noted that staff recommends approval of the request.

Mr. Harmon stated that this property was rezoned in the late 90s to CI and OI zoning. When the Unified Development Ordinance (UDO) came into existence the property changed to Neighborhood Commercial zoning. Mr. Moutos added that the owners are out of the country and no one is here to speak. Mr. Simon asked if the area could be used for other purposes once it is rezoned, and Mr. Moutos said there is potential for the area to be used for other purposes. The owner has used it as a car lot for some time

Mr. Hight closed the hearing for case P24-44.

MOTION: Tyrone Simon made a motion to approve case P24-44 based on the staff recommendation and that it aligns with the Future Land Use Plan and the Unified Development Ordinance, and it is consistent with the Future Land Use Plan as demonstrated by the consistency statement.

SECOND: Pavan Patel

VOTE: Unanimous (5-0)

IV. OTHER BUSINESS

Mr. Hight noted that there are two vacancies and one alternate vacancy on the board. He is concerned that when Mr. Patel leaves the board there will only be four members present for voting purposes. Mr. Patel confirmed that this is his last meeting. Mr. Harmon said that he is not sure how many items are on the agenda for the meeting on Tuesday, December 10, 2024, but there might be a variance case on the agenda.

V. ADJOURNMENT

MOTION: Pavan Patel made a motion to adjourn the November 12, 2024, meeting.

SECOND: Stephen McCorquodale

VOTE: Unanimous (5-0)

The meeting adjourned at 6:27 p.m.