

Case # P18-14F
**Conditional Rezoning
Application Form**

433 Hay Street, Fayetteville, North Carolina 28301
910-433-1612 Fax# 910-433-1776

Submittal Date: 3/6/18 Approval/Denial Date: _____
Fee: \$700.00 Received By: Karen Estep

Notes:

1. A pre-application conference is mandatory prior to submission of an application for a conditional rezoning.
2. Conditional rezonings proposing re-classification from a Conservation (CD) zoning district to a conditional MR-5, OI, NC, LC, CC, MU, DT, LI, or HI zoning district require a neighborhood meeting before an application is submitted.
3. Conditional rezonings proposing reclassification of three acres of land or less from one residential or business zoning district to another more intense residential or business zoning district require a neighborhood meeting before an application is submitted.
4. Only the landowner may submit a conditional rezoning application.
5. Conditions proposed by an applicant shall be included as text, maps, or plans, and shall be submitted with this application form. All conditions must be mutually agreeable by the applicant and the City Council.
6. Proposed conditions may not be less restrictive than the corresponding base zoning district standards.
7. Concurrent submittal of a site plan application (for review by the TRC) that depicts the proposed development is required, and the development depicted in the site plan must remain consistent with the conditional rezoning designation (though minor deviations are allowed).

1. General Project Information

Project Address:	505 Middle Road, Fayetteville		
Tax Parcel Identification Number:	0447-34-8472		
Project Name:	505 Middle Road		
Current Zoning District:	CC	Proposed Conditional Zoning District:	HI
Lot or Site Acreage:	8.7	Was a neighborhood meeting conducted?	☒ No ☐ Yes Date: _____
Number of residential units:	N/A	Amount of nonresidential square footage:	9,500 sf

2. Landowner Information

Landowner name:	Carolina Sun Investments, LLC		
As evidenced by deed, recorded in Deed Book	10226	Page	663 Cumberland County Registry.

3. Written Description of Request – Answer all the questions under this section (Attach additional sheets as needed)

A) Describe the proposed use of the rezoned land, including the proposed types of site improvements, buildings, uses, proposed activities, hours of operation, and operating characteristics.

The property will be used for servicing and storage of heavy construction equipment for Horne Brothers Construction. No new buildings are currently planned. There is an existing building on site that will be used. Approximate hours of operation will be Monday through Friday from 7 am to 6 pm and Saturday from 7 am to 1 pm.

B) Describe the proposed conditions that should be applied.

The property will be used for storing and servicing heavy construction equipment only. Manufacturing operations will be prohibited along with laundry and dry cleaning services and waste related services.

C) Please describe the zoning district designation and existing uses of lands adjacent to and across the street from the subject site

The property to the west is zoned HI. The property to the north and to the east across the street is zoned SF-10. The SF-10 property to the north is vacant and wooded. The SF-10 property across the street is a large church. The only existing residence near the property is actually located on the property.

4. Amendment Justification – Answer all the questions under this section. (Attach additional sheets as needed)

A) The extent to which the proposed amendment is consistent with the comprehensive plan and all other applicable long-range planning documents.

This areas appears to be suited for HI development based on the existing zoning and past use of the property. The conditional rezoning will restrict operations to the storage and repair of the heavy equipment only.

B) Are there changed conditions that require an amendment?

The new owner for the property would like to use the site for store heavy equipment for their construction operation. The previous use was some type of truck yard.

C) The extent to which the proposed amendment addresses a demonstrated community need.

The owner currently parks their equipment in Roseboro on property located along NC Hwy 24. The base of operations for the owner is in Fayetteville and the owner would like to relocate the equipment nearer the home base of operation. The equipment storage is a special use for the existing zoning but servicing the equipment is not allowed in the CC zoning district.

D) The extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and why it is the appropriate zoning district for the land.

The adjoining southern parcel is zoned HI. The previous use of the property was associated with a truck operation. The property is located near both NC Hwy 24 and I-95 which allows for a more efficient way of moving equipment to project sites.

E) The extent to which the proposed amendment results in a logical and orderly development pattern.

The property to the south is already developed with a HI zoning. The property across the street is developed as a church. The Cape Fear River is on the west side of the property. The SF-10 property to the north is wood and currently undeveloped.

F) The extent to which the proposed amendment might encourage premature development.

All surrounding properties are developed with exception to the SF-10 to the north. The rezoning should not encourage premature development on the undeveloped tract to the north.

G) The extent to which the proposed amendment results in strip-style commercial development.

This will not happen as the proposed rezoning is for a storage yard and service area for heavy equipment.

H) The extent to which the proposed amendment results in the creation of an isolated zoning district unrelated to adjacent and surrounding zoning districts.

The adjacent parcel is zoned HI. The proposed rezoning will not create an isolated zoning district.

I) The extent to which the proposed amendment results in significant adverse impacts on the property values of surrounding lands.

The property was used in the past similar to what is being requested. The adjacent property is zoned HI. Significant adverse impacts are not anticipated for the surrounding properties.

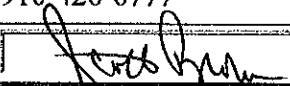
J) The extent to which the proposed amendment results in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

The proposed amendment should not result in significantly adverse impacts to the environment. The site will be designed in accordance with current city ordinances as well as NCDEQ requirements.

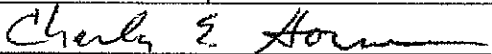
5. Submittal Requirement Checklist*(Submittals should include 2 copies of listed items, unless otherwise stated.)*

☒	Pre-application conference completed
☐	Neighborhood meeting description, if applicable
☐	Copy of an approved Certificate of Appropriateness (COA) if located within the HLO district
☐	Site Plan Application Form
☒	Rezoning Application Fee
☐	Site Plan Application Fee
☐	Scaled drawing and vicinity map showing boundaries of property, the general location in relation to major streets, railroad, and/or waterways
☒	Property survey showing existing easements, reservations, and public rights-of-way
☐	A site plan completed in accordance with the Site Plan Application checklist in this Manual
☐	Building elevations, if rezoning involves new construction or changes to an existing building
☐	Transportation analysis, if required
☐	A phasing plan, if proposed

6. Primary Contact Information

Primary Point of Contact Name: Scott Brown - 4D Site Solutions, Inc	
Mailing Address: 409 Chicago Drive, Suite 112, Fay, NC 28306	Fax No.: 910-426-5777
Phone No.: 910-426-6777	Email: sbrown@4dsitesolutions.com
Signature: 	Date: 02-22-18

7. Property Owner Information (if different from the primary point of contact)

Property Owner Contact Name: Jack Horne or Charles E. Horne	
Mailing Address: PO Box 205, Fayetteville, NC 28302	Fax No.: 910-323-2354
Phone No.: 910-309-8844	Email: jackhorne@hbc-inc.com
Property Owner or Authorized Signature: 	Date Signed: 2/23/2018

An application for a Map Amendment must address the following issues:

Consistency with adopted plans, changed conditions requiring amendment, community need, compatibility with existing and proposed uses and zoning, logical development pattern, strip development, unneeded development, spot zoning, property value, environmental concerns, compatibility of permissible uses and exiting uses.