

City Council



ZONING CASES

June 26, 2023



Owners: Dennis E. Canady, John D. Gillis, Robert Lewis Gillis, and James Wright Gillis

Applicant: Kimberlee Bozeman

Request: Agricultural-Residential (AR) to Limited Commercial (LC)

Located: 8205 Stoney Point Road and 0 Rockfish Road

Acreage: 4.5 acres ±

District: 6

REID #: 9485651707000 & 9485557246000





Aerial Notification Map

Case #: P23-15

Rezoning

Request: Limited Commercial (LC)

Location: 8205 Stoney Point Road & 0 Rockfish Road
9485651707000 & 9485537246000

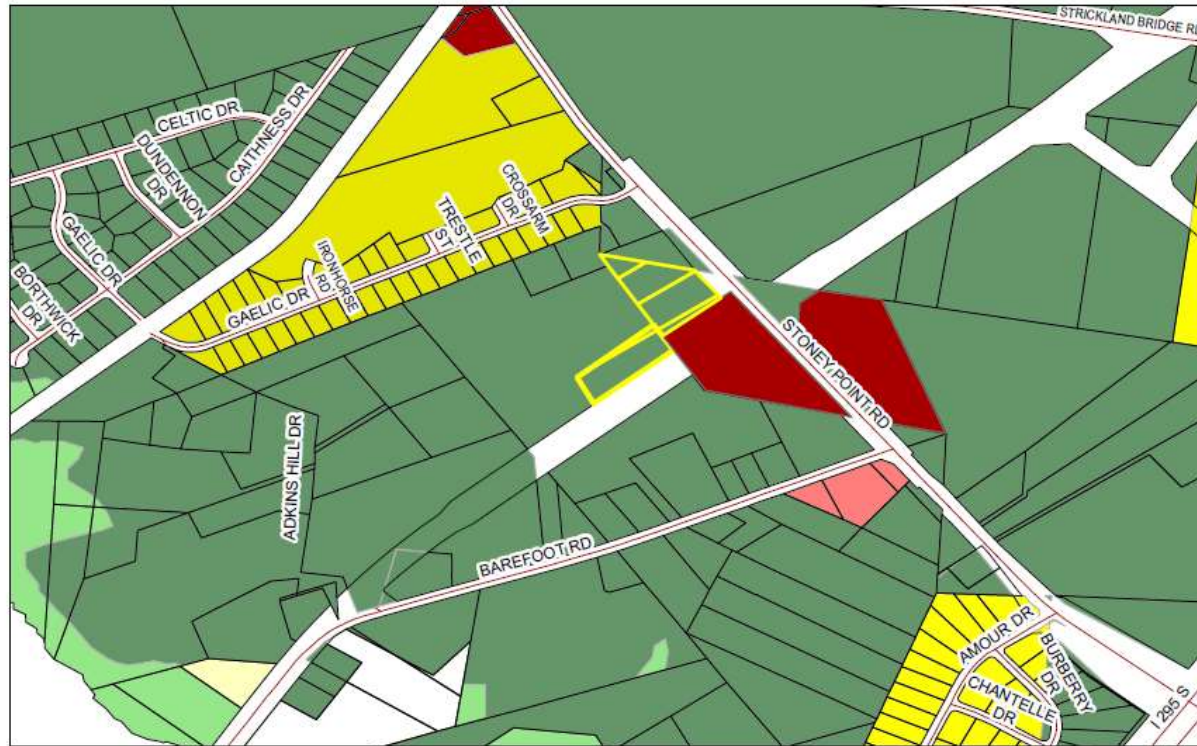
Legend

-  9485-55-7246
-  P23-15
-  P23-15
-  P23-15 Buffer



Letters are being sent to all property owners within the 1000' buffer. Subject property is shown in the hatched pattern.

















Zoning Map
Case #: P23-15

Rezoning
Request: Limited Commercial (LC)

Location: 8205 Stoney Point Road & 0 Rockfish Road
9485631707000 & 9485557246000

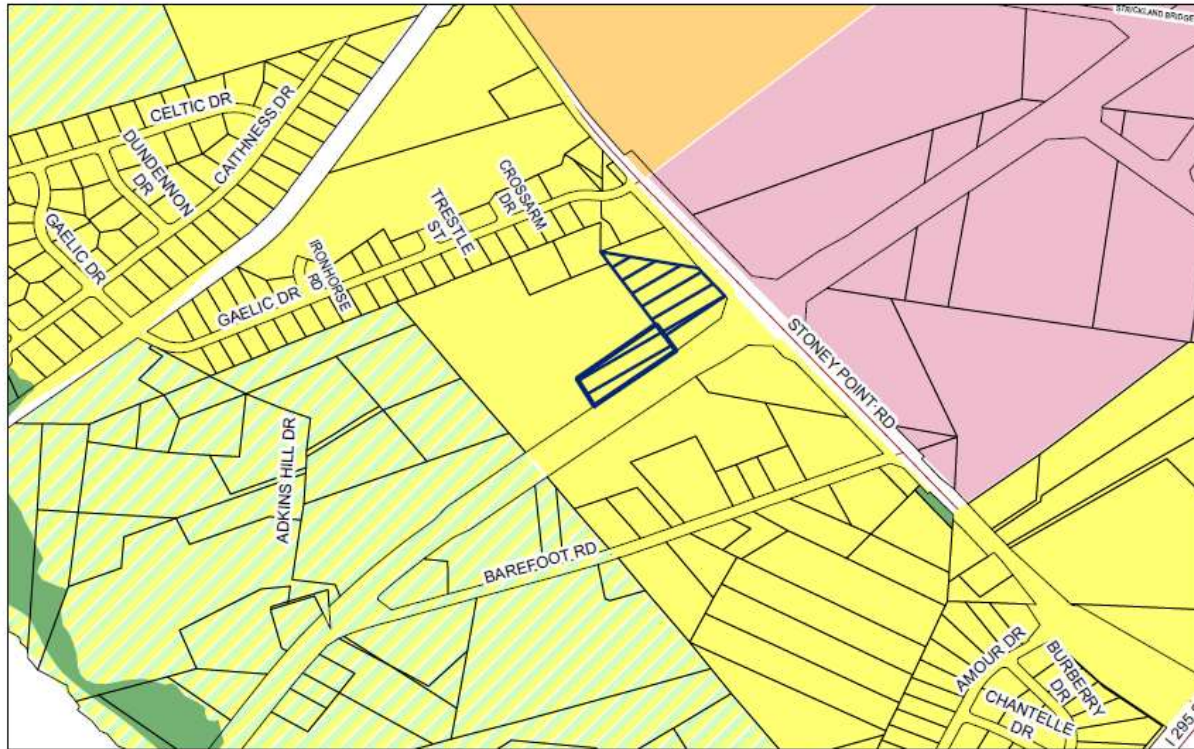
Legend

- | | |
|---|--|
|  P23-15 |  CD - Conservation District |
|  CC Zoning |  LC - Limited Commercial |
|  CC Zoning |  SF-6 - Single-Family Residential 6 |
|  P23-15 |  SF-10 - Single-Family Residential 10 |
|  AR - Agricultural-Residential |  SF-15 - Single-Family Residential 15 |
|  CC - Community Commercial |  County |



Letters are being sent to all property owners within the 1000' buffer. Subject property is shown in the hatched pattern.





Future Land Use Map

Case #: P23-15

Rezoning

Request: Limited Commercial (LC)


Location: 8205 Stoney Point Road & 0 Rockfish Road
9485651707000 & 9485557246000

Legend



Land Use Plan 2040

Character Areas

-  PARKOS - PARK / OPEN SPACE
-  OSS - OPEN SPACE SUBDIVISIONS
-  LDR - LOW DENSITY
-  MDR - MEDIUM DENSITY
-  NMU - NEIGHBORHOOD MIXED USE



Letters are being sent to all property owners within the 1000' buffer. Subject property is shown in the hatched pattern.

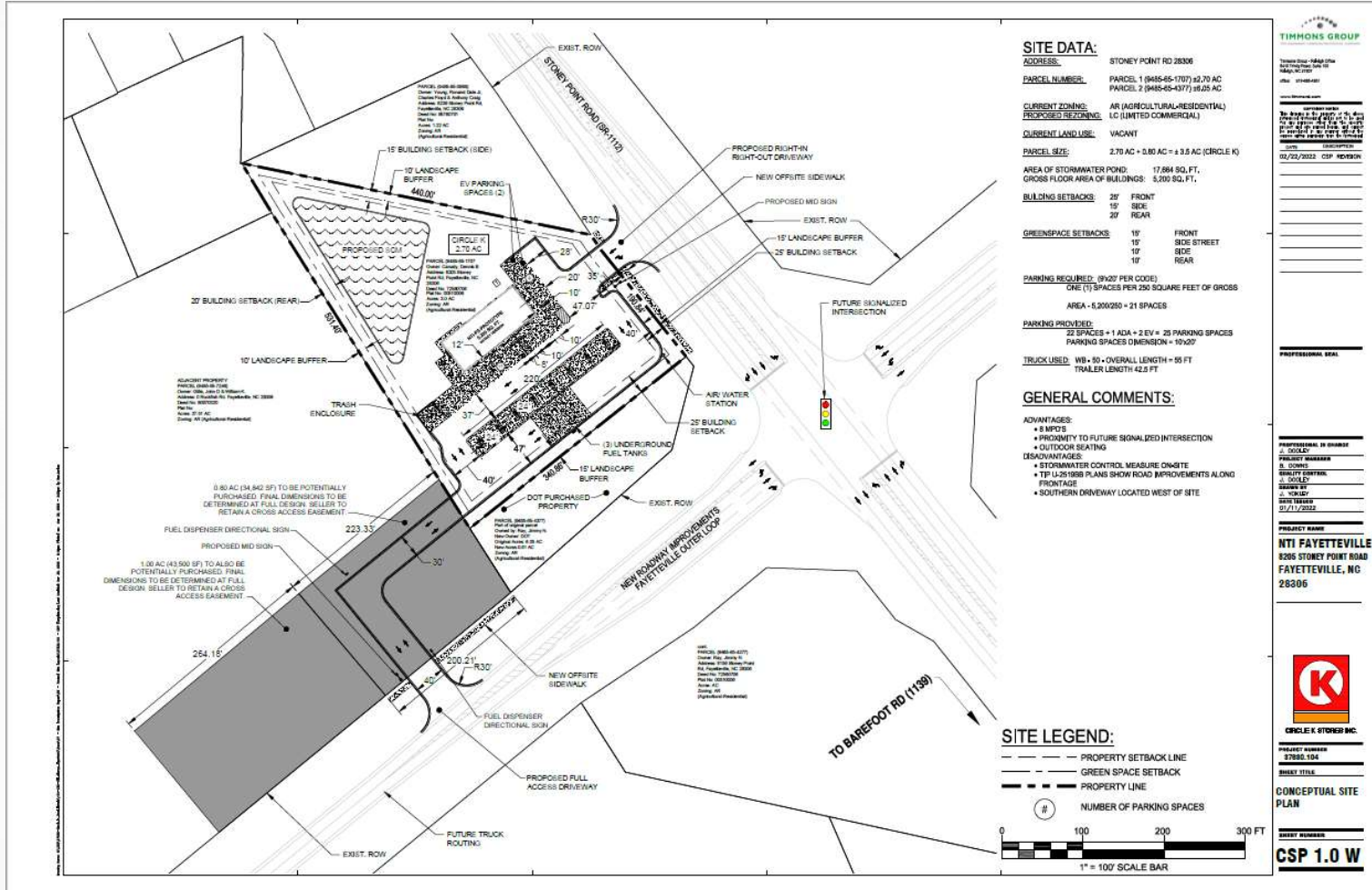
Subject Property



Surrounding Properties



Site Plan



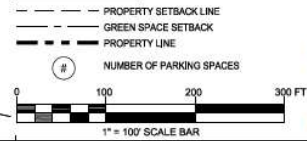
SITE DATA:

ADDRESS: STONEY POINT RD 28306
PARCEL NUMBER: PARCEL 1 (9485-65-1707) 42.70 AC
 PARCEL 2 (9485-65-4377) 16.05 AC
CURRENT ZONING: AR (AGRICULTURAL-RESIDENTIAL)
PROPOSED ZONING: LC (LIMITED COMMERCIAL)
CURRENT LAND USE: VACANT
PARCEL SIZE: 2.70 AC + 5.80 AC + 4 2.5 AC (CIRCLE K)
AREA OF STORMWATER POND: 17,884 SQ. FT.
GROSS FLOOR AREA OF BUILDINGS: 5,000 SQ. FT.
BUILDING SETBACKS: 25' FRONT
 15' SIDE
 20' REAR
GREENSPACE SETBACKS: 15' FRONT
 15' SIDE STREET
 15' SIDE
 15' REAR
PARKING PROVIDED: (9/20' PER CODE)
 ONE (1) SPACES PER 250 SQUARE FEET OF GROSS AREA - 5,000/250 = 21 SPACES
PARKING PROVIDED: 22 SPACES + 1 ADA + 2 EV + 20 PARKING SPACES
 PARKING SPACES DIMENSION = 10x20'
TRUCK USED: WB + 50 - OVERALL LENGTH = 50 FT
 TRAILER LENGTH 42.5 FT

GENERAL COMMENTS:

- ADVANTAGES:**
- 5 INFOS
 - PROXIMITY TO FUTURE SIGNALIZED INTERSECTION
 - OUTDOOR SEATING
- DISADVANTAGES:**
- STORMWATER CONTROL MEASURE ON-SITE
 - TP U-251988 PLANS SHOW ROAD IMPROVEMENTS ALONG FRONTAGE
 - SOUTHERN DRIVEWAY LOCATED WEST OF SITE

SITE LEGEND:



TIMMONS GROUP
 Timmons Group - 10000 Old
 Lee Highway, Suite 100
 Raleigh, NC 27617
 Phone: 919-876-5500
 Fax: 919-876-5501
 www.timmons.com

PROJECT NUMBER:
 NTI Fayetteville
 8265 Stoney Point Road
 Fayetteville, NC
 28306

DATE:
 02/22/2022 CSP REVISION

PROFESSIONAL SEAL

PROFESSIONAL IN CHARGE:
 J. SOULEY
PROJECT NUMBER:
 S. 00005
QUALITY CONTROL:
 J. SOULEY
DATE:
 02/11/2022

PROJECT NAME:
 NTI FAYETTEVILLE
 8265 STONEY POINT ROAD
 FAYETTEVILLE, NC
 28306

CIRCLE K STORE INC.

PROJECT NUMBER:
 87880.104
SHEET TITLE:
 CONCEPTUAL SITE PLAN
SHEET NUMBER:
 CSP 1.0 W

- The request is for a straight rezoning from Agricultural Residential (AR) to Limited Commercial (LC).
- According to the Future Land Use Map & Plan, this general area is recommended to be developed as Low Density Residential (LDR) and Neighborhood Mixed Use (NMU).
- The requested rezoning is generally consistent with the Land Use Policies and Strategies of the Future Land Use Plan.
- The pending road improvements and eventual connection to I295 all but ensure this area will develop as commercial.
- There are also existing commercially zoned lot adjacent to and across the street from the subject properties.

The Zoning Commission and Professional Planning Staff recommend that the City Council APPROVE the map amendment to LC based on the following:

- This proposal would update the future land use map if adopted, it also satisfies the Future Land Use Goals #1 and #2 and is generally consistent with the Land Use Policies and Strategies. Additionally, the proposed roadway improvements and eventual connection to I295 ensure this proposal will evolve to be an even better fit for the surrounding area;
- The uses permitted by the proposed change in zoning district classification and standards that apply to such uses are appropriate in the immediate area of the land to be reclassified due to the existing zoning and uses surrounding this property; and
- There are no other factors that will substantially affect public health, safety, morals, or general welfare.

1. City Council move to approve the map amendment to Limited Commercial (LC) as presented based on the evidence submitted, and finds that the rezoning is consistent with the City Council's recent actions and, as demonstrated by the attached consistency and reasonableness statement, approval of the rezoning would serve as an update to the future land use plan. (recommended);
2. City Council moves to approve the map amendment to a more restrictive zoning district based on the evidence submitted and finds that the map amendment would be consistent with the Future Land Use Plan and an amended consistency statement;
3. City Council moves to deny the map amendment request based on the evidence submitted and finds that the map amendment is inconsistent with the Future Land Use Plan.