

CITY COUNCIL



ZONING CASES

April 22, 2024



Owner: McCauley & McDonald Investments LLC

Applicant: Mary Talley

Request: LI to CC

Located: 2326 Owen Drive

Acreage: .91 acres ±

District: 2

REID #: 0426419941000





Aerial Notification Map

Case #: P24-18

Request: Rezoning
Light Industrial (LI) to
Community Commercial (CC)

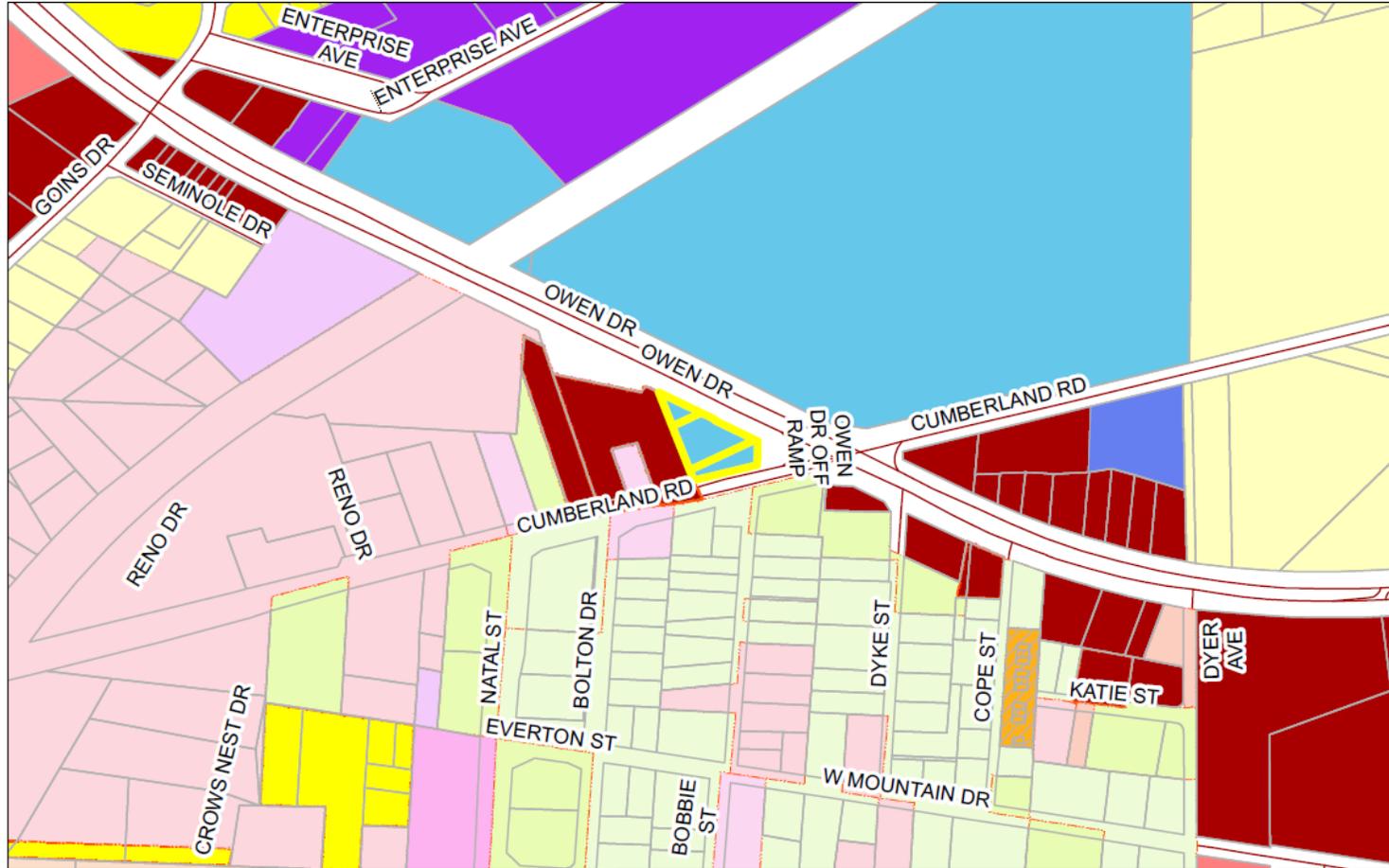
Location: 2326 Owen Drive
0426419941000

Legend

-  P24-18
-  P24-18 Notification Buffer



Letters are being sent to all property owners within the 1,000' buffer. Subject property is shown in the hatched pattern.



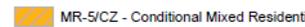
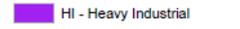
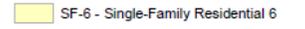
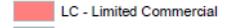
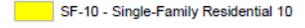
Zoning Map

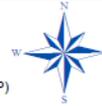
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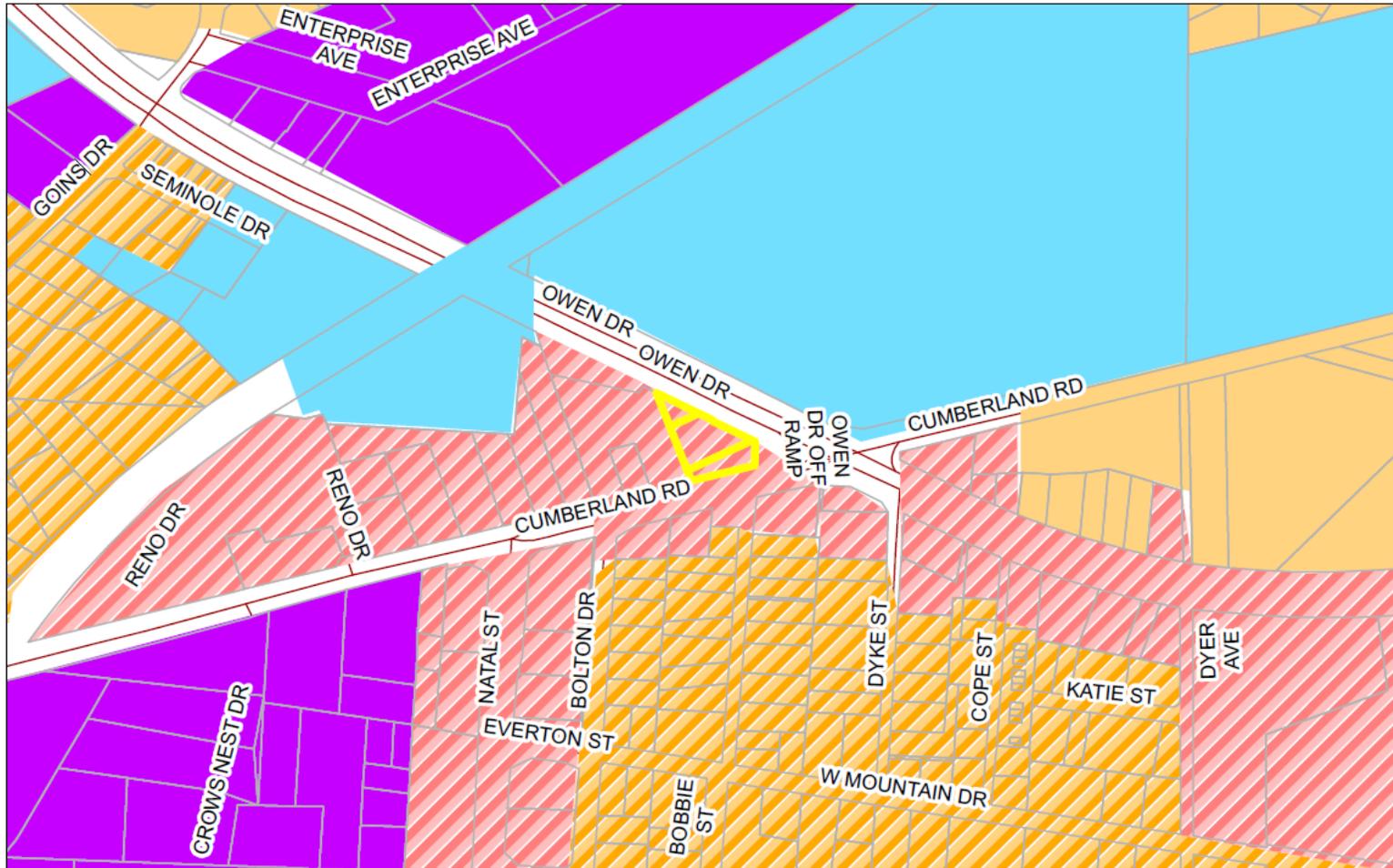
Location: 2326 Owen Drive
0426419941000

Legend

 P24-18	 CC - Community Commercial	 MR-5/CZ - Conditional Mixed Residential 5	 C3
 HI - Heavy Industrial	 OI - Office & Institutional	 SF-6 - Single-Family Residential 6	 M(P)
 LC - Limited Commercial	 SF-10 - Single-Family Residential 10	 M1(P)	 M2
 LI - Light Industrial	CCZoning	 O&I(P)	 R10
	gis_ware_1	 R6	 R6A
	 C(P)		
	 C1(P)		



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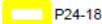
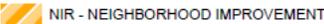
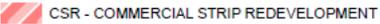
Land Use Map

Case #: P24-18

Request: Rezoning
Light Industrial (LI) to
Community Commercial (CC)

Location: 2326 Owen Drive
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Legend

-  P24-18
-  NIR - NEIGHBORHOOD IMPROVEMENT
-  CSR - COMMERCIAL STRIP REDEVELOPMENT
-  MDR - MEDIUM DENSITY
-  EC - EMPLOYMENT CENTER
-  OI - OFFICE / INSTITUTIONAL



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- The existing convenience store with gasoline sales was built in 1983 (CC Tax).
- At the time of development, the site was zoned M1 which allowed for a range of more intense and industrial use.
- Pre UDO, the zoning ordinance worked in a hierarchical model in which all the uses permitted in the less intense districts were also permitted in the more intense districts. Ex: gas stations were permitted in C3 and thus were allowed in M1.
- With the adoption of the UDO, M1 was converted to Light Industrial. The UDO does not follow the same hierarchical model as the previous zoning ordinance.
- Convenience stores with gasoline sales are not a permitted use in the LI zoning district. The proposed rezoning would bring the use into compliance with the UDO and allow for the site to be redeveloped/occupied.

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

- The proposed zoning map amendment implements the policies adopted in the Future Land Use Plan (FLUP), and those policies found in the Unified Development Ordinance (UDO). The Future Land Use Plan indicates this area should be Commercial Strip Redevelopment.
- The uses permitted by the proposed change in zoning district classification and the standards that apply to such uses would be appropriate in the immediate area; and
- There are no other factors that will substantially affect public health, safety, morals, or general welfare.

1. Approval of the map amendment to CC as presented based on the evidence submitted and finds that the rezoning is consistent with the Future Land Use Plan as demonstrated by the attached consistency and reasonableness statement (recommended);
2. Approval of 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. Deny the map amendment request based on the evidence submitted and find that the map amendment is inconsistent with the Future Land Use Plan.



 **FAYETTEVILLE** ^{NC}
AMERICA'S CAN DO CITY

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